

117TH CONGRESS
1ST SESSION

H. R. 5627

To amend titles XVIII and XIX of the Social Security Act to prohibit certain vaccine mandates as conditions of participation under the Medicare and Medicaid programs.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 2021

Mr. LATTA introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles XVIII and XIX of the Social Security Act to prohibit certain vaccine mandates as conditions of participation under the Medicare and Medicaid programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Care Workforce
5 Protection from Mandates Act”.

1 **SEC. 2. PROHIBITING UNDER MEDICARE AND MEDICAID**
2 **CERTAIN VACCINE MANDATES AS CONDI-**
3 **TIONS OF PARTICIPATION.**

4 (a) **MEDICARE.**—Section 1866 of the Social Security
5 Act (42 U.S.C. 1395cc) is amended by adding at the end
6 the following new subsection:

7 “(l) **LIMITATION.**—Notwithstanding any other provi-
8 sion of this title, the Secretary may not require, as a con-
9 dition to participate under this title or to be eligible to
10 receive payment, reimbursement, or a contract under this
11 title, a provider of services or supplier to mandate
12 COVID–19 vaccinations for the employees or contractors
13 of such provider of services or supplier unless before im-
14 plementing such requirement, with respect to providers of
15 services and suppliers, the Secretary certifies that such re-
16 quirement would not result in any staffing shortages for
17 such providers of services and suppliers.”.

18 (b) **MEDICAID.**—Section 1902 of the Social Security
19 Act (42 U.S.C. 1396a) is amended by adding at the end
20 the following new subsection:

21 “(tt) **LIMITATION.**—Notwithstanding any other pro-
22 vision of this title, the Secretary may not require, as a
23 condition to provide services under a State plan under this
24 title (or waiver of such plan) or to be eligible to receive
25 payment, reimbursement, or a contract under such State
26 plan (or waiver), an individual or entity to mandate

1 COVID–19 vaccinations for the employees or contractors
2 of such individual or entity unless before implementing
3 such requirement, with respect to individuals and entities,
4 the Secretary certifies that such requirement would not
5 result in any staffing shortages for such individuals and
6 entities.”.

