

117TH CONGRESS
1ST SESSION

H. R. 4438

To amend title XI of the Social Security Act to exclude from Federal health care programs health care providers performing certain acts forcing contraception with respect to individuals subject to a conservatorship.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2021

Mr. SMITH of Missouri (for himself, Mr. MCKINLEY, Mr. GAETZ, and Mr. ROUZER) 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 title XI of the Social Security Act to exclude from Federal health care programs health care providers performing certain acts forcing contraception with respect to individuals subject to a conservatorship.

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 “Conservatorships Im-
5 moral Relationship with Contraception in the United
6 States Act” or the “CIRCUS Act”.

1 **SEC. 2. EXCLUDING FROM FEDERAL HEALTH CARE PRO-**
2 **GRAMS HEALTH CARE PROVIDERS PER-**
3 **FORMING CERTAIN ACTS FORCING CONTRA-**
4 **CEPTION WITH RESPECT TO INDIVIDUALS**
5 **SUBJECT TO A CONSERVATORSHIP.**

6 Section 1128(a) of the Social Security Act (42 U.S.C.
7 1320a-7(a)) is amended by adding at the end the fol-
8 lowing new paragraph:

9 “(5) CERTAIN ACTS FORCING CONTRACEPTION
10 WITH RESPECT TO INDIVIDUALS SUBJECT TO CON-
11 SERVATORSHIP.—Any health care provider that on
12 or after the date of the enactment of this para-
13 graph—

14 “(A) denies the removal of an intrauterine
15 device or other contraceptive device from an in-
16 dividual who is subject to a conservatorship by
17 reason of the conservator not approving of such
18 removal; or

19 “(B) knowingly prescribes birth control
20 medication (including any method of contracep-
21 tion approved or otherwise authorized by the
22 Food and Drug Administration) to an indi-
23 vidual subject to a conservatorship without the
24 written consent of such individual.”.