Committee Print

(Showing the Text of H.R. 3894, as Favorably Forwarded by the Subcommittee on Health on July 15, 2021)

117th CONGRESS
1ST SESSION

H. R. 3894

To require the Secretary of Health and Human Services to issue and disseminate guidance to States to clarify strategies to address social determinants of health under the Medicaid program and the Children’s Health Insurance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2021

Ms. BLUNT ROCHESTER (for herself and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Health and Human Services to issue and disseminate guidance to States to clarify strategies to address social determinants of health under the Medicaid program and the Children’s Health Insurance Program, and for other purposes.

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 “Collecting and Ana-
5 lyzing Resources Integral and Necessary for Guidance for
Social Determinants Act of 2021” or the “CARING for Social Determinants Act of 2021”.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Social determinants of health are the conditions in which people are born, grow, live, play, work and age; they include factors like socioeconomic status, education, housing, transportation, nutrition and literacy.

(2) Research has shown that addressing social determinants of health is important for improving overall health and reducing health inequities.

(3) Social determinants that negatively impact health can have harmful neurodevelopmental and biological consequences that develop in childhood and manifest in adulthood.

(4) There is a growing body of evidence suggesting that policies that specifically address social needs, including policies targeting children and families, can improve community health outcomes and have the potential to reduce health care spending.

(5) Some State Medicaid programs have begun testing innovative delivery and payment models designed to improve health outcomes and reduce costs
by implementing strategies to address social determinants of health under existing Medicaid authorities as well as through the use of waivers, though payment incentives linked to social determinant of health are not common.

(6) Despite a growing focus on social determinants of health in State managed care contracts, most States do not provide necessary guidance for managed care entities as to how they may use existing authority under Federal law to provide patients with services that can improve health by addressing social determinants.

(7) Centers for Medicare & Medicaid Services guidance and technical assistance are critical tools that could increase adoption of strategies to address social determinants of health among State Medicaid agencies.

(b) PURPOSES.—It is the purpose of this Act to provide States with additional operational clarity and examples of the strategies they can leverage through existing authority and waivers to address social determinants of health for the Medicaid population.
SEC. 3. REQUIREMENT TO ISSUE GUIDANCE TO CLARIFY
STRATEGIES TO ADDRESS SOCIAL DETERMINANTS OF HEALTH IN THE MEDICAID PROGRAM AND THE CHILDREN’S HEALTH INSURANCE PROGRAM.

Not later than 3 years after the date of the enactment of this Act, and not less frequently than once every 3 years thereafter, the Secretary of Health and Human Services shall update the State Health Office letter 21-001, issued on January 7, 2021, to clarify strategies to address social determinants of health under the Medicaid program and the Children’s Health Insurance Program. Such update shall include the following:

(1) Guidance to State Medicaid agencies regarding the strategies that States can implement under authorities in existence as of such update under title XIX of the Social Security Act, title XXI of such Act, or section 1115 of such Act to address social determinants of health in the provision of health care, including strategies specifically targeting children receiving medical assistance under a State plan under title XIX of such Act (or a waiver of such plan) or child health assistance under a State child health plan under title XXI of such Act.

(2) Guidance on how States can encourage and incentivize managed care entities to address social
determinants of health through contracts with such entities.

(3) Updated examples from States with respect to how States are addressing social determinants of health in the provision of health care under the Medicaid program under title XIX of the Social Security Act and the Children’s Health Insurance Program under title XXI of such Act, including through payment models.