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(Original Signature of Member)

112TH CONGRESS  
1ST SESSION

**H. R.** 3587

To amend title XIX of the Social Security Act to provide for the application of Medicaid prompt pay requirement to claims for payment for covered items and services furnished by any Medicaid health care entity.

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IN THE HOUSE OF REPRESENTATIVES

Mr. BILBRAY (for himself and Ms. ESHOO) introduced the following bill; which was referred to the Committee on

Energy & Commerce

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**A BILL**

To amend title XIX of the Social Security Act to provide for the application of Medicaid prompt pay requirement to claims for payment for covered items and services furnished by any Medicaid health care entity.

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 “Fair Pay to Medicaid  
5 Providers Act of 2011”.

1 **SEC. 2. APPLICATION OF MEDICAID PROMPT PAY REQUIRE-**  
2 **MENTS TO ALL MEDICAID HEALTH CARE EN-**  
3 **TITIES.**

4 (a) IN GENERAL.—Section 1902 of the Social Secu-  
5 rity Act (42 U.S.C. 1396a) is amended in subsection (a),  
6 in the matter following paragraph (83), by striking “For  
7 purposes of this title” and inserting “Subject to the pre-  
8 vious sentence, a State plan shall not be in compliance  
9 with the requirement of clause (A) of paragraph (37) un-  
10 less (i) such plan applies such requirement to claims for  
11 payment made for items and services covered under the  
12 plan and furnished by any person or entity eligible for pay-  
13 ment under such plan (insofar as such person or entity  
14 is paid under this title on the basis of submission of  
15 claims) in the same or similar manner (but applying the  
16 same timeframes specified under such clause) as such plan  
17 applies such requirement to such services furnished by a  
18 practitioner described in such clause; and (ii) such plan  
19 provides for quarterly reports to be submitted by the State  
20 to the Secretary, presented by provider type, on the extent  
21 to which the State during each month of the previous  
22 quarter was in compliance with the requirement under  
23 such clause, including as applied under this sentence. For  
24 purposes of this title”.

1           (b) **EFFECTIVE DATE.**—The amendment made by  
2 subsection (a) shall apply to claims made for covered serv-  
3 ices after the date of the enactment of this Act.