

S. 1544 and H.R. 3089: The Accelerating Kids Access to Care Act

**Sponsored by Senators Chuck Grassley (R-IA) and Michael Bennet (D-CO)
And Representatives Katherine Clark (D-MA) and Jaime Herrera Beutler (R-WA)**

Problem

Children with complex health conditions who are covered by Medicaid often have healthcare needs that cannot be met by providers within their own home state. When this occurs, a state Medicaid agency (SMA) will authorize care to be provided by an out-of-state provider. Unfortunately, regulatory burdens can and do delay this care because states will often require providers to be screened in order to be enrolled in the state Medicaid program of the child. Federal law already allows and encourages states to use provider screenings done by other state Medicaid programs or by Medicare, but this often does not occur. Instead, providers typically have to spend valuable time and resources to go through screenings as well as lengthy and convoluted application processes for the child's home state even though they are already screened and enrolled in good standing in their home state and possibly other states or Medicare.

Proposed Solution

The **Accelerating Kids' Access to Care Act** is bipartisan legislation sponsored by Senators Chuck Grassley (R-IA) and Michael Bennet (D-CO) and Representatives Katherine Clark (D-MA) and Jaime Herrera Beutler (R-WA) that will address this impediment to care by establishing a limited streamlined federal Medicaid screening and enrollment pathway for providers caring for children. Following is an overview of the legislation.

- Amends the Social Security Act to establish a voluntary streamlined enrollment process for eligible providers serving qualifying individuals.
- Creates a five-year enrollment period. If a provider is successfully screened through the pathway, states would not establish any additional screening requirements for that provider.
- Eligibility is limited to providers who:
 - Provide a service covered by the Medicaid program to a qualifying individual
 - Are in a healthcare provider category where the Secretary has determined there exists limited risk of fraud, waste and abuse.
 - Have been successfully screened by their home state Medicaid program or by Medicare.

- Have not been barred from participating in Medicare or Medicaid.
- Qualifying individuals would be Medicaid beneficiaries who are:
 - Under the age of 18; or
 - Over the age of 18 and being treated for a condition that onset before age 18.
- The new pathway would be effective January 2022. If states need to enact state legislation to implement the pathway, states would have additional time to do so during their upcoming legislative sessions.

What the Legislation Does Not Do

- Does not require providers to participate in the streamlined pathway. If a provider opts not to participate but is called upon to serve a child on Medicaid from another state, the provider or providers would have to satisfy requests of the beneficiary's home state.
- The legislation does not address authorization of out-of-state care. Those decisions will continue to be made by SMAs and/or managed care plans in consultation with the beneficiary's family and healthcare providers.
- The legislation does not speak to payment for out-of-state cases, maintaining the status quo in which such decisions are determined by the state and the receiving provider.

Summary

The **Accelerating Kids' Access to Care Act** will remove regulatory barriers that today impedes access to care, at times resulting in worsening a child's health and greater overall costs to the healthcare system. The legislation respects the ability of states to manage their own Medicaid programs while reducing a process burden for states, providers, and patients. It also ensures appropriate screening will be done in order for a provider to participate in the streamlined pathway.