

110TH CONGRESS  
1ST SESSION

# H. R. 2870

To amend titles XIX and XXI of the Social Security Act to ensure payment under Medicaid and the State Children’s Health Insurance Program (SCHIP) for covered items and services furnished by school-based health clinics.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2007

Mr. TOWNS introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend titles XIX and XXI of the Social Security Act to ensure payment under Medicaid and the State Children’s Health Insurance Program (SCHIP) for covered items and services furnished by school-based health clinics.

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 “Healthy Schools Act  
5 of 2007”.

1 **SEC. 2. ASSURANCE OF PAYMENT UNDER MEDICAID AND**  
2 **SCHIP FOR COVERED ITEMS AND SERVICES**  
3 **FURNISHED BY CERTAIN SCHOOL-BASED**  
4 **HEALTH CLINICS.**

5 (a) STATE PLAN REQUIREMENT.—Section 1902(a)  
6 of the Social Security Act (42 U.S.C. 1396a(a)) is amend-  
7 ed—

8 (1) in paragraph (69), by striking “and” at the  
9 end;

10 (2) in paragraph (70)(B)(iv), by striking the  
11 period at the end and inserting “; and”; and

12 (3) by inserting after paragraph (70)(B)(iv),  
13 the following new paragraph:

14 “(71) provide that the State shall certify to the  
15 Secretary that the State has implemented proce-  
16 dures to pay for medical assistance, including care  
17 and services described in subsections (a)(4)(B) and  
18 (r) of section 1905 and provided in accordance with  
19 section 1903(a)(43), furnished in a school-based  
20 health clinic (as defined in section 1905(y)) if pay-  
21 ment would be made under the State plan for the  
22 same items and services if furnished in a physician’s  
23 office or other outpatient clinic (including if such  
24 payment would be included in the determination of  
25 a prepaid capitation or other risk-based rate of pay-

1 ment to an entity under a contract pursuant to sec-  
2 tion 1903(m)).”.

3 (b) DEFINITION OF SCHOOL-BASED HEALTH CLIN-  
4 IC.—Section 1905 of such Act (42 U.S.C. 1396d) is  
5 amended by adding at the end the following new sub-  
6 section:

7 “(y)(1) For purposes of this title, the term ‘school-  
8 based health clinic’ means a health clinic that—

9 “(A) is located in or near a school facility of a  
10 school district or board or of an Indian tribe or trib-  
11 al organization;

12 “(B) is organized through school, community,  
13 and health provider relationships;

14 “(C) is administered by a sponsoring facility;

15 “(D) provides through health professionals pri-  
16 mary health services to children in accordance with  
17 State and local law, including laws relating to licen-  
18 sure and certification; and

19 “(E) satisfies such other requirements as a  
20 State may establish for the operation of such a clin-  
21 ic.

22 “(2) For purposes of paragraph (1)(D), the term ‘pri-  
23 mary health services’ means the core services offered by  
24 a school-based health clinic, which shall include the fol-  
25 lowing:

1           “(A) Comprehensive health assessments, diag-  
2           nosis, and treatment of minor, acute, and chronic  
3           medical conditions and referrals to, and follow-up  
4           for, specialty care.

5           “(B) Mental health assessments, crisis interven-  
6           tion, counseling, treatment, and referral to a con-  
7           tinuum of services including emergency psychiatric  
8           care, community support programs, inpatient care,  
9           and outpatient programs.

10           “(C) Additional services, which may include  
11           oral health, social, and health education services.

12           “(3) For purposes of paragraph (1)(C), the term  
13           ‘sponsoring facility’ is a community-based organization,  
14           which may include—

15           “(A) a hospital;

16           “(B) a public health department;

17           “(C) a community health center;

18           “(D) a nonprofit health care agency;

19           “(E) a school or school system; or

20           “(F) a program administered by the Indian  
21           Health Service or the Bureau of Indian Affairs or  
22           operated by an Indian tribe or a tribal organization  
23           under the Indian Self-Determination and Education  
24           Assistance Act (25 U.S.C. 450), a Native Hawaiian  
25           entity, or an Urban Indian program under title V of

1 the Indian Health Care Improvement Act (25 U.S.C.  
2 1601).”.

3 (c) APPLICATION TO SCHIP.—Section 2107(e)(1) of  
4 the Social Security Act (42 U.S.C. 1397gg(e)(1)) is  
5 amended—

6 (1) by redesignating subparagraphs (B)  
7 through (D) as subparagraphs (C) through (E), re-  
8 spectively; and

9 (2) by inserting after subparagraph (A), the fol-  
10 lowing new subparagraph:

11 “(B) Section 1902(a)(71) (relating to pro-  
12 cedures to ensure payment for covered services  
13 furnished in a school-based health clinic, as de-  
14 fined in section 1905(y)).”.

15 (d) EFFECTIVE DATE.—The amendments made by  
16 this section take effect on October 1, 2007.

○