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**AMENDMENT TO H.R. 3962**  
**OFFERED BY MR. BURGESS OF TEXAS**

Strike section 1721 (relating to payments to health care providers), and insert the following:

1 **SEC. 1721. PAYMENTS TO HEALTH CARE PROVIDERS.**

2 (a) IN GENERAL.—

3 (1) FREE-FOR-SERVICE PAYMENTS.—Section  
4 1902(a)(13) of the Social Security Act (42 U.S.C.  
5 1396a(a)(13)) is amended—

6 (A) by striking “and” at the end of sub-  
7 paragraph (A); and

8 (B) by adding at the end the following new  
9 subparagraphs:

10 “(C) payment for all services (other than  
11 dental or vision services) furnished by providers  
12 of health care services at a rate of not less than  
13 75 percent of the payment rate applicable to  
14 such services under the State employees’ health  
15 plan that is most often chosen by such State  
16 employees for family coverage or under the  
17 health benefits plan offered to Federal employ-  
18 ees under chapter 89 of title 5, United States

1 Code, that is chosen most often by such Federal  
2 employees for family coverage; and

3 “(D) payment at a rate of not less than 75  
4 percent of the payment rate applicable to sup-  
5 plemental coverage for dental or vision services  
6 offered under either—

7 “(i) the State employee health plan  
8 for such services that is most often chosen  
9 by such State employees for family cov-  
10 erage, if the State plan provides for such  
11 services; or

12 “(ii) if such services are not offered  
13 by the State employee health plan, the rate  
14 paid by the supplemental plan offered to  
15 Federal employees under chapter 89 of  
16 title 5, United States Code, that is most  
17 often chosen by such Federal employees for  
18 family coverage.”.

19 (2) MEDICAID MANAGED CARE PLANS.—Section  
20 1932(f) of such Act (42 U.S.C. 1396u-2(f)) is  
21 amended—

22 (A) in the heading, by adding at the end  
23 the following: “; ADEQUACY OF PAYMENT FOR  
24 CERTAIN SERVICES” ; and

1 (B) by inserting before the period at the  
2 end the following: "and, in the case of services  
3 described in subparagraph (C) or (D) of section  
4 1902(a)(13), consistent with the minimum pay-  
5 ment rates specified in such respective subpara-  
6 graph".

