

118TH CONGRESS
2D SESSION

S. _____

To amend title XIX of the Social Security Act to require the collection of information regarding social determinants of health of individuals eligible for benefits for which Federal financial participation is available under Medicaid or the Children’s Health Insurance Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SULLIVAN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title XIX of the Social Security Act to require the collection of information regarding social determinants of health of individuals eligible for benefits for which Federal financial participation is available under Medicaid or 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 “Utilizing National
5 Data, Effectively Reforming Standards and Tools, to Ad-

1 dress Negative Determinates of Health Act” or the “UN-
2 DERSTAND Act”.

3 **SEC. 2. COLLECTION OF INFORMATION RELATED TO SO-**
4 **CIAL DETERMINANTS OF THE HEALTH OF**
5 **MEDICAID AND CHIP BENEFICIARIES.**

6 (a) REPORTING OF INFORMATION.—Section 1946 of
7 the Social Security Act (42 U.S.C. 1396w–5) is amended
8 by adding at the end the following:

9 “(d) COLLECTION OF INFORMATION RELATED TO
10 SOCIAL DETERMINANTS OF HEALTH.—

11 “(1) DEVELOPMENT OF UNIFORM REPORTING
12 FIELD.—

13 “(A) IN GENERAL.—Not later than 18
14 months after the date of enactment of this sub-
15 section, the Secretary, in consultation with the
16 States, shall develop a model uniform reporting
17 field through the transformed Medicaid Statis-
18 tical Information System (T-MSIS) or another
19 appropriate reporting platform, as approved by
20 the Secretary, for collecting standardized and
21 aggregated State-level information related to so-
22 cial determinants that may factor into the
23 health of beneficiaries under this title who are
24 eligible for medical assistance for which Federal
25 financial participation is available and bene-

1 ficiaries under title XXI who are eligible for
2 child health assistance for which Federal finan-
3 cial participation is available which the States,
4 notwithstanding section 1902(a)(7) and as a
5 condition for meeting the requirements of sec-
6 tion 1902(a)(6) and section 2107(b)(1), shall
7 use to annually report such information.

8 “(B) IMPLEMENTATION.—In carrying out
9 the requirements of subparagraph (A), the Sec-
10 retary shall—

11 “(i) determine the appropriate pro-
12 viders and frequency with which such pro-
13 viders may submit standardized informa-
14 tion to States to be used to complete the
15 uniform reporting field developed under
16 such subparagraph;

17 “(ii) issue guidance for ensuring com-
18 pliance with applicable laws regarding ben-
19 eficiary informed consent, privacy, and an-
20 onymity with respect to the information
21 collected through the uniform reporting
22 field;

23 “(iii) with respect to the collection of
24 information relating to beneficiaries who
25 are children, issue guidance on the collec-

1 make updates to the uniform reporting
2 field and the information reported using
3 such field.

4 “(2) SOCIAL DETERMINANTS OF HEALTH.—The
5 information collected in accordance with paragraph
6 (1) shall, to the extent practicable, include standard-
7 ized definitions for identifying social determinants of
8 health needs identified in the ICD-10 diagnostic
9 codes Z55 through Z63, Z65, and Z75 (as in effect
10 on the date of enactment of this subsection). Such
11 definitions shall incorporate measures for quanti-
12 fying the relative severity of any such social deter-
13 minant of health need identified in an individual.

14 “(3) RULES OF CONSTRUCTION.—

15 “(A) FEDERAL PRIVACY REQUIRE-
16 MENTS.—Nothing in this subsection shall be
17 construed to supersede any Federal privacy or
18 confidentiality requirement, including the regu-
19 lations promulgated under section 264(c) of the
20 Health Insurance Portability and Accountability
21 Act of 1996 and section 543 of the Public
22 Health Service Act and any regulations promul-
23 gated thereunder.

24 “(B) NO REQUIREMENT FOR THE PROVI-
25 SION OF MEDICAL ASSISTANCE.—Nothing in

1 this subsection shall be construed as allowing
2 for medical assistance for items and services for
3 which Federal financial participation is not per-
4 mitted under this title.

5 “(4) STATE REQUIREMENT TO COLLECT INFOR-
6 MATION FROM PROVIDERS.—As a condition for
7 meeting the requirements of section 1902(a)(6) and
8 section 2107(b)(1), a State shall ensure that the
9 providers identified by the Secretary under para-
10 graph (1)(B)(i) are conducting screenings for social
11 needs and submitting standardized information with
12 appropriate frequency (as identified by the Secretary
13 under such paragraph).

14 “(5) APPLICATION TO TERRITORIES.—

15 “(A) IN GENERAL.—To the extent that the
16 Secretary determines that it is not practicable
17 for a State specified in subparagraph (B) to re-
18 port information in accordance with the uni-
19 form reporting field made available under para-
20 graph (1), this subsection shall not apply with
21 respect to such State.

22 “(B) TERRITORIES SPECIFIED.—The
23 States specified in this subparagraph are Puer-
24 to Rico, the Virgin Islands, Guam, American
25 Samoa, and the Northern Mariana Islands.”.

1 (b) REPORT.—Section 1946(b)(2) of such Act (42
2 U.S.C. 1396w-5(b)(2)) is amended—

3 (1) by striking “Not later than” and inserting
4 the following:

5 “(A) INITIAL REPORTS.—Not later than”;
6 and

7 (2) by adding at the end the following:

8 “(B) REPORT ON COLLECTION OF INFOR-
9 MATION RELATED TO SOCIAL DETERMINANTS
10 OF HEALTH.—Not later than 4 years after the
11 date of the enactment of this subparagraph, the
12 Secretary shall submit to Congress a report
13 that includes aggregate findings and trends
14 across respective beneficiary populations for im-
15 proving the identification of social determinants
16 of health for beneficiaries under this title who
17 are eligible for medical assistance for which
18 Federal financial participation is available and
19 beneficiaries under title XXI who are eligible
20 for child health assistance for which Federal fi-
21 nancial participation is available based on anal-
22 yses of the data collected under subsection
23 (d).”.