



(Original Signature of Member)

109TH CONGRESS
2D SESSION

H. R. 5171

To amend the Public Health Service Act to provide for community projects that will reduce the number of individuals who are uninsured with respect to health care, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HOEKSTRA (for himself, [see attached list of cosponsors]) introduced the following bill; which was referred to the Committee on

A BILL

To amend the Public Health Service Act to provide for community projects that will reduce the number of individuals who are uninsured with respect to health care, 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 "Communities Building
5 Access Act".



1 **SEC. 2. FINDINGS.**

2 The Congress finds as follows:

3 (1) Two models of community programs for the
4 uninsured have emerged as effective in generating
5 community support and funding in urban and rural
6 areas; in providing effective care and coverage for
7 the uninsured; in avoiding displacement of private
8 coverage; and in avoiding duplication of other fed-
9 eral programs for the uninsured.

10 (2) These community models have dem-
11 onstrated community-wide economic benefit. Em-
12 ployers in the community experience less health care
13 cost-shifting, in addition to increased productivity
14 and employee retention. With greater emphasis on
15 preventive and chronic care, a community's unin-
16 sured population becomes less of a financial burden
17 on state and local budgets.

18 (3) These community models have dem-
19 onstrated potential national solutions for certain un-
20 insured populations, including the working unin-
21 sured. Such lessons learned from these models in-
22 clude, for example, the level of subsidy necessary to
23 get small employers to purchase coverage for their
24 employees, how to effectively market access pro-
25 grams to the uninsured, and how to effectively man-
26 age chronic care among lower-income populations.



1 (4) These community models have succeeded in
2 raising much of the funding necessary to function,
3 but have lacked financial stability and would enjoy
4 greater success with a stable partial funding stream
5 from the Federal Government.

6 (5) These community models, if involved in a
7 Federal partnership, have the ability and willingness
8 to be accountable for a return on investment for fed-
9 eral funding, and to disseminate expertise to like-
10 minded communities.

11 **SEC. 3. GRANTS FOR MULTI-SHARE HEALTH CARE COV-**
12 **ERAGE PROJECTS FOR UNINSURED WORKING**
13 **INDIVIDUALS.**

14 Subpart I of part D of title III of the Public Health
15 Service Act (42 U.S.C. 254b et seq.) is amended by adding
16 at the end the following:

17 **“SEC. 330M. MULTI-SHARE HEALTH CARE COVERAGE**
18 **PROJECTS FOR UNINSURED WORKING INDI-**
19 **VIDUALS.**

20 “(a) IN GENERAL.—The Secretary shall make grants
21 to public or nonprofit private entities to carry out dem-
22 onstration projects for the purpose of—

23 “(1) making available, on a cost-sharing basis
24 as described in subsection (c)(2)(C), health care cov-
25 erage to qualifying employees through employers



1 that have not contributed to health care benefits for
2 employees during the 12-month period prior to par-
3 ticipating in such a project; and

4 “(2) making available, on such basis, health
5 care coverage to qualifying self-employed individuals
6 who have been without such coverage during the 12-
7 month period prior to participating in such a
8 project.

9 “(b) QUALIFYING EMPLOYEES AND SELF-EMPLOYED
10 INDIVIDUALS.—For purposes of this section, the term
11 ‘qualifying’, with respect to an employee or self-employed
12 individual, means that the employee or self-employed indi-
13 vidual is not eligible for health services under the program
14 under title XVIII, XIX, or XXI of the Social Security Act
15 (relating to the Medicare program, the Medicaid program,
16 and the State children’s health insurance program, respec-
17 tively).

18 “(c) REQUIREMENTS FOR GRANT.—

19 “(1) IN GENERAL.—A grant may be made
20 under subsection (a) for a project only if the appli-
21 cant involved—

22 “(A) has defined a service area for the
23 project;

24 “(B) has formed a consortium of entities
25 in such service area, which consortium is com-



1 posed of employers whose employees may or
2 may not be served by the project, health care
3 providers who will provide services through the
4 project, and other appropriate entities;

5 “(C) has ensured that the consortium has
6 established a set of unified goals for the project;

7 “(D) has conducted a basic level of demo-
8 graphic research to obtain data on the unin-
9 sured businesses, working uninsured, and pro-
10 vider community within the service area in
11 order to determine the potential value and ef-
12 fectiveness of operating such a project, which
13 data includes—

14 “(i) the rate of uncompensated care;

15 “(ii) the number of women lacking
16 prenatal services;

17 “(iii) immunization rates; and

18 “(iv) the number of employers that do
19 not provide health insurance to their em-
20 ployees; and

21 “(E) has conducted a basic evaluation of
22 State health insurance and local laws that
23 might impact the implementation of the project.



1 “(2) AGREEMENTS.—A grant may be made
2 under subsection (a) for a project only if the appli-
3 cant involved agrees as follows:

4 “(A) Eligibility criteria will be established
5 for employers to participate in the project, in-
6 cluding the requirement that the employers be
7 located within the service area defined under
8 paragraph (1)(A) for the project, which may
9 include—

10 “(i) a maximum average income
11 earned by the employees of the business;

12 “(ii) criteria, in addition to the 12-
13 month periods under subsection (a), to
14 avoid creating any incentive for an em-
15 ployer or self-employed individual to dis-
16 continue health plans or health insurance
17 policies; and

18 “(iii) such other criteria as the con-
19 sortium under paragraph (1)(B) considers
20 to be appropriate.

21 “(B) A network of health care providers
22 will be formed to provide services to qualifying
23 employees and self-employed individuals who
24 participate in the project, which services will be



1 provided according to a schedule of fees and co-
2 payments negotiated by the project.

3 “(C) Of the cost of providing health care
4 coverage through the project—

5 “(i) not more than 30 percent will be
6 paid by the project with funds from the
7 grant; and

8 “(ii) not less than 70 percent will be
9 paid by the employer, the employee, and
10 any additional sources of funds (such as
11 the community in which the project is lo-
12 cated) that may be available pursuant to
13 arrangements with the project.

14 “(D) A minimum benefit package will be
15 selected that includes—

16 “(i) physicians services;

17 “(ii) prescription drug benefits;

18 “(iii) in-patient hospital services;

19 “(iv) out-patient services;

20 “(v) emergency room visits;

21 “(vi) emergency ambulance services;

22 and

23 “(vii) diagnostic laboratory tests and
24 x-rays.



1 With respect to compliance with the agreement
2 under this subparagraph, the project is not re-
3 quired to provide coverage for any service per-
4 formed outside the service area of the project,
5 except to the extent that a service specified in
6 any of clauses (i) through (vii) is not reasonably
7 available within the service area.

8 “(E) The minimum benefit package will
9 not exclude coverage of a medical condition on
10 the basis that it is a pre-existing condition.

11 “(F) An entity will be selected by the con-
12 sortium under paragraph (1)(B) to carry out
13 administrative and accounting functions with
14 respect to the health care coverage to be offered
15 by the project, including monthly billings, ver-
16 ification and enrollment of eligible employers
17 and employees, maintenance of membership ros-
18 ters, operation of the utilization management
19 program under subparagraph (G), and develop-
20 ment of a marketing plan.

21 “(G) A utilization management program
22 will be selected that ensures delivery of care in
23 the appropriate setting, using appropriate re-
24 sources and clinical practice guidelines.



1 “(H) A plan will be implemented for meas-
2 uring quality and efficiency of care provided
3 through the project within two years after the
4 project begins operation.

5 “(I) A plan will be implemented for man-
6 aging care for enrollees with chronic illness, as
7 well as additional cost-control initiatives that
8 will be employed by the project within 2 years
9 after the project begins operation.

10 “(J) A plan will be implemented for pro-
11 tecting the project from high risks, which may
12 include affiliation with State high-risk pool or
13 local safety net program, and purchase of rein-
14 surance.

15 “(K) A plan will be implemented for evalu-
16 ating the project on an interim basis, not less
17 frequently than annually.

18 “(d) APPLICATION FOR GRANT.—A grant may be
19 made under subsection (a) only if an application for the
20 grant is submitted to the Secretary and the application
21 is in such form, is made in such manner, and contains
22 such agreements, assurances, and information as the Sec-
23 retary determines to be necessary to carry out this section.

24 “(e) AUTHORIZATION OF APPROPRIATIONS.—For the
25 purpose of making grants under subsection (a), there is



1 authorized to be appropriated \$36,000,000 in the aggre-
2 gate for the fiscal years 2007 through 2013, of which
3 there are authorized to be appropriated amounts as fol-
4 lows:

5 “(1) For fiscal year 2007, \$2,000,000.

6 “(2) For each of the fiscal years 2008 and
7 2009, \$5,000,000.

8 “(3) For each of the fiscal years 2010 through
9 2013, \$6,000,000.

10 **“SEC. 330N. GRANTS FOR VOLUNTEER SPECIALTY PRO-**
11 **VIDER NETWORKS.**

12 “(a) **IN GENERAL.**—The Secretary shall make grants
13 to public or nonprofit private entities to carry out dem-
14 onstration projects for the purpose of forming and main-
15 taining networks composed of health care specialists who
16 volunteer health services to eligible individuals.

17 “(b) **ELIGIBLE INDIVIDUALS.**—For purposes of this
18 section, the term ‘eligible individual’ means an individual
19 who has been enrolled by a project under subsection (a)
20 and—

21 “(1) whose employer does not provide health
22 care coverage;

23 “(2) is unable to obtain health care coverage
24 through a family member or common law partner;



1 “(3) is at or below a poverty level specified by
2 the Secretary; and

3 “(4) is not eligible for health services under the
4 program under title XVIII, XIX, or XXI of the So-
5 cial Security Act (relating to the Medicare program,
6 the Medicaid program, and the State children’s
7 health insurance program, respectively).

8 “(c) QUALIFIED GRANT EXPENDITURES.—A grant
9 may be made under subsection (a) for a project only if
10 the applicant involved agrees that the grant will be ex-
11 pended to assist specialists that are participants in the
12 network involved through any or all of the following
13 means:

14 “(1) Paying nominal administrative or fees to
15 the participants for the costs of providing services to
16 eligible individuals.

17 “(2) Assisting with the cost of training primary
18 care practitioners to manage the chronic conditions
19 that are most often treated by the network special-
20 ists.

21 “(3) Assisting participants with the costs of
22 providing fees to recruit specialists to practice in the
23 service area of the project.



1 “(4) Assisting with the costs of operating a
2 community clinic staffed by volunteer network spe-
3 cialists.

4 “(5) Assisting participants with the costs of in-
5 stalling or operating information technology that is
6 of benefit to patients, such as technology to avoid
7 medical errors or to facilitate the authorized elec-
8 tronic transfer of the health records of eligible indi-
9 viduals.

10 “(6) Paying for necessary prescription drug
11 costs for necessary treatment prescribed by network
12 specialists.

13 “(7) Such additional means as the Secretary
14 may authorize.

15 “(d) CERTAIN REQUIREMENTS FOR GRANT.—A
16 grant may be made under subsection (a) for a project only
17 if the applicant involved—

18 “(1) has defined a service area for the project;

19 “(2) has formed a consortium of various com-
20 munity members, leaders, and organizations in such
21 area;

22 “(3) has ensured that the consortium has estab-
23 lished a set of unified goals for the project;



1 “(4) has conducted the basic level of demo-
2 graphic research described in section
3 330M(e)(1)(D);

4 “(5) has a plan for managing the care of eligi-
5 ble individuals with chronic illness; and

6 “(6) has a plan for evaluating the project on an
7 interim basis, not less frequently than once each
8 year.

9 “(e) MATCHING FUNDS.—

10 “(1) IN GENERAL.—With respect to the costs of
11 the project to be carried out under subsection (a) by
12 an applicant, a grant under such subsection may be
13 made only if the applicant agrees to make available
14 (directly or through donations from public or private
15 entities) non-Federal contributions toward such
16 costs in an amount that is not less than $\frac{1}{3}$ of such
17 costs (\$1 for each \$2 provided in the grant).

18 “(2) DETERMINATION OF AMOUNT CONTRIB-
19 UTED.—Non-Federal contributions required in para-
20 graph (1) may be in cash or in kind, fairly evalu-
21 ated, including plant, equipment, or services.
22 Amounts provided by the Federal Government, or
23 services assisted or subsidized to any significant ex-
24 tent by the Federal Government, may not be in-



1 cluded in determining the amount of such non-Fed-
2 eral contributions.

3 “(f) APPLICATION FOR GRANT.—A grant may be
4 made under subsection (a) only if an application for the
5 grant is submitted to the Secretary and the application
6 is in such form, is made in such manner, and contains
7 such agreements, assurances, and information as the Sec-
8 retary determines to be necessary to carry out this section.

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—For the
10 purpose of making grants under subsection (a), there is
11 authorized to be appropriated \$9,000,000 in the aggregate
12 for the fiscal years 2007 through 2013, of which there
13 are authorized to be appropriated amounts as follows:

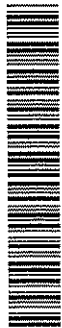
14 “(1) For each of the fiscal years 2007 and
15 2008, \$500,000.

16 “(2) For each of the fiscal years 2009 and
17 2010, \$1,000,000.

18 “(3) For each of the fiscal years 2011 through
19 2013, \$2,000,000.

20 **“SEC. 3300. CLEARINGHOUSE FOR INFORMATION ON COM-**
21 **MUNITY-INITIATED PROJECTS TO PROVIDE**
22 **HEALTH CARE COVERAGE TO UNINSURED IN-**
23 **DIVIDUALS.**

24 “(a) IN GENERAL.—The Secretary shall make an
25 award of a grant or contract for the establishment and



1 operation of a clearinghouse to collect and make available,
2 on a national basis, information on projects under sections
3 330M and 330N and similar projects that are community-
4 initiated (referred to in this section as ‘access projects’).

5 “(b) CERTAIN REQUIREMENTS.—The Secretary shall
6 ensure that the information collected and made available
7 under subsection (a) by the Clearinghouse includes the fol-
8 lowing:

9 “(1) A database identifying technical-assistance
10 experts who are or have been involved in the plan-
11 ning or operation of access projects.

12 “(2) Information regarding the success and
13 progress of access projects, including—

14 “(A) information on best-practices identi-
15 fied for such projects;

16 “(B) the number of individuals who lacked
17 health care coverage prior to receiving such cov-
18 erage through the projects;

19 “(C) the number of individuals served by
20 the projects who have chronic conditions that
21 are managed by the projects;

22 “(D) the economic impact of the projects
23 for businesses in the communities in which the
24 projects operated; and



1 “(E) the savings of hospitals and other
2 health care providers in such communities that
3 resulted from the operation of the projects.

4 “(c) APPLICATION.—An award may be made under
5 subsection (a) only if an application for the award is sub-
6 mitted to the Secretary and the application is in such
7 form, is made in such manner, and contains such agree-
8 ments, assurances, and information as the Secretary de-
9 termines to be necessary to carry out this section.

10 “(d) SOLICITATION OF REPORTS.—The Secretary
11 may carry out a program to encourage public and private
12 entities that plan or operate access projects to submit to
13 the Clearinghouse reports that provide information on the
14 projects.

15 “(e) DEFINITION.—For purposes of this section, the
16 term ‘Clearinghouse’ means the clearinghouse under sub-
17 section (a).

18 “(f) AUTHORIZATION OF APPROPRIATION.—For the
19 purpose of making awards under subsection (a), there are
20 authorized to be appropriated such sums as may be nec-
21 essary for each of the fiscal years 2007 through 2013.”.



Communities Building Access Act of 2006

Mr. Hoekstra (for himself and Mr. Paul E. Gillmor (OH-05), Mr. Thaddeus McCotter (MI-11), Mr. Mike Rogers (MI-08), Mr. Vernon J. Ehlers (MI-03), Mr. John Boozman (AR-03), Mr. John Shadegg (AZ-03), Mr. Dave Camp (MI-04) and Mr. Steven LaTourette (OH-14)).

Note: If there are any questions, please direct them to Katherine Haley, 5-5926 or katherine.haley@mail.house.gov.