

106TH CONGRESS
2D SESSION

S. 3088

To require the Secretary of Health and Human Services to promulgate regulations regarding allowable costs under the Medicaid program for school based services provided to children with disabilities.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2000

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

A BILL

To require the Secretary of Health and Human Services to promulgate regulations regarding allowable costs under the Medicaid program for school based services provided to children with disabilities.

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. ALLOWABLE MEDICAID COSTS FOR SCHOOL-**

4 **BASED SERVICES PROVIDED TO CHILDREN**

5 **WITH DISABILITIES.**

6 Not later than 90 days after the date of enactment

7 of this Act, the Secretary of Health and Human Services

8 and the Secretary of Education shall issue proposed regu-

1 lations after consultation with the National Governors' As-
2 sociation, the National Association of State Directors of
3 Special Education, the American Association of Edu-
4 cational Service Agencies, the American Public Human
5 Services Administration, and other interested groups re-
6 lating to allowable costs under the administrative outreach
7 program of the school based services program that is part
8 of the Medicaid program established under title XIX of
9 the Social Security Act (42 U.S.C. 1396 et seq.) with re-
10 spect to services provided to children with disabilities. Any
11 claim that is reasonably based on guidance provided orally
12 or in writing by an officer or employee of a regional or
13 national office of the Health Care Financing Administra-
14 tion submitted with respect to such services prior to the
15 publication of final regulations may not be deferred or dis-
16 allowed.

