

Committee Print

The Committee on Energy and Commerce submits the following recommendations to the Committee on the Budget pursuant to section 2002(a)(2) of S. Con. Res. 11:

1 **TITLE _____—COMMITTEE ON**
2 **ENERGY AND COMMERCE**

3 **SEC. __01. REPEAL OF THE PREVENTION AND PUBLIC**
4 **HEALTH FUND.**

5 (a) IN GENERAL.—Section 4002 of the Patient Pro-
6 tection and Affordable Care Act (42 U.S.C. 300u–11) is
7 repealed.

8 (b) RESCISSION OF UNOBLIGATED FUNDS.—Of the
9 funds made available by such section 4002, the unobli-
10 gated balance is rescinded.

11 **SEC. __02. FEDERAL PAYMENT TO STATES.**

12 (a) IN GENERAL.—Notwithstanding sections 504(a),
13 1902(a)(23), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1)
14 of the Social Security Act (42 U.S.C. 704(a),
15 1396b(a)(23), 1397a, 1397d(a)(4), 1397bb(a)(2),
16 1397ee(a)(1)), or the terms of any Medicaid waiver in ef-
17 fect on the date of enactment of this Act that is approved
18 under section 1115 or 1915 of the Social Security Act (42

1 U.S.C. 1315, 1396n), for the one-year period beginning
2 on the date of the enactment of this Act no Federal funds
3 may be made available to a State for payments to a pro-
4 hibited entity, whether made directly to the prohibited en-
5 tity or through a managed care organization under con-
6 tract with the State.

7 (b) DEFINITION OF PROHIBITED ENTITY.—In this
8 section, the term “prohibited entity” means an entity, in-
9 cluding its affiliates, subsidiaries, successors, and clinics—

10 (1) that, as of the date of enactment of this
11 Act—

12 (A) is an organization described in section
13 501(c)(3) of the Internal Revenue Code of 1986
14 and exempt from tax under section 501(a) of
15 such Code;

16 (B) is an essential community provider de-
17 scribed in section 156.235 of title 45, Code of
18 Federal Regulations, that is primarily engaged
19 in family planning services, reproductive health,
20 and related medical care; and

21 (C) provides for abortions, other than an
22 abortion—

23 (i) if the pregnancy is the result of an
24 act of rape or incest; or

1 (ii) in the case where a woman suffers
2 from a physical disorder, physical injury,
3 or physical illness that would, as certified
4 by a physician, place the woman in danger
5 of death unless an abortion is performed,
6 including a life-endangering physical condi-
7 tion caused by or arising from the preg-
8 nancy itself; and

9 (2) for which the total amount of Federal and
10 State expenditures under the Medicaid program
11 under title XIX of the Social Security Act in fiscal
12 year 2014 made directly to the entity and to any af-
13 filiates, subsidiaries, successors, or clinics of the en-
14 tity, or made to the entity and to any affiliates, sub-
15 sidiaries, successors, or clinics of the entity as part
16 of a nationwide health care provider network, ex-
17 ceeded \$350,000,000.

18 **SEC. __03. FUNDING FOR COMMUNITY HEALTH CENTER**
19 **PROGRAM.**

20 Effective as if included in the enactment of the Medi-
21 care Access and CHIP Reauthorization Act of 2015 (Pub-
22 lic Law 114–10, 129 Stat. 87), paragraph (1) of section
23 221(a) of such Act is amended by inserting after “Section
24 10503(b)(1)(E) of the Patient Protection and Affordable
25 Care Act (42 U.S.C. 254b-2(b)(1)(E)) is amended” the

- 1 following: “by striking ‘\$3,600,000,000’ and inserting
- 2 ‘\$3,835,000,000’ and”.

