

116TH CONGRESS
2D SESSION

H. R. _____

Making further continuing appropriations for fiscal year 2021, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. LOWEY introduced the following bill; which was referred to the Committee on _____

A BILL

Making further continuing appropriations for fiscal year 2021, 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 “Further Continuing
5 Appropriations Act, 2021, and Other Extensions Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short Title.
- Sec. 2. Table of Contents.
- Sec. 3. References.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2021

DIVISION B—HEALTH EXTENDERS

Title I—Medicare and Medicaid Extenders

Title II—Public Health Extenders and Food and Drug Administration Provisions

Title III—Offsets

Title IV—Budgetary Effects

1 **SEC. 3. REFERENCES.**

2 Except as expressly provided otherwise, any reference
3 to “this Act” contained in any division of this Act shall
4 be treated as referring only to the provisions of that divi-
5 sion.

6 **DIVISION A—FURTHER CON-**
7 **TINUING APPROPRIATIONS**
8 **ACT, 2021**

9 SEC. 101. The Continuing Appropriations Act, 2021
10 (division A of Public Law 116–159) is amended by strik-
11 ing the date specified in section 106(3) and inserting “De-
12 cember 18, 2020”.

13 This division may be cited as the “Further Con-
14 tinuing Appropriations Act, 2021”.

15 **DIVISION B—HEALTH**
16 **EXTENDERS**
17 **TITLE I—MEDICARE AND**
18 **MEDICAID EXTENDERS**

19 **SEC. 1101. EXTENSION OF THE WORK GEOGRAPHIC INDEX**
20 **FLOOR UNDER THE MEDICARE PROGRAM.**

21 Section 1848(e)(1)(E) of the Social Security Act (42
22 U.S.C. 1395w–4(e)(1)(E)), as amended by section 3801
23 of the CARES Act (Public Law 116–136) and section

1 2201 of the Continuing Appropriations Act, 2021 and
2 Other Extensions Act (Public Law 116–159), is amended
3 by striking “December 12, 2020” and inserting “Decem-
4 ber 19, 2020”.

5 **SEC. 1102. EXTENSION OF FUNDING OUTREACH AND AS-**
6 **SISTANCE FOR LOW-INCOME PROGRAMS.**

7 (a) STATE HEALTH INSURANCE PROGRAMS.—Sub-
8 section (a)(1)(B)(xi) of section 119 of the Medicare Im-
9 provements for Patients and Providers Act of 2008 (42
10 U.S.C. 1395b–3 note), as amended by section 3306 of the
11 Patient Protection and Affordable Care Act (Public Law
12 111–148), section 610 of the American Taxpayer Relief
13 Act of 2012 (Public Law 112–240), section 1110 of the
14 Pathway for SGR Reform Act of 2013 (Public Law 113–
15 67), section 110 of the Protecting Access to Medicare Act
16 of 2014 (Public Law 113–93), section 208 of the Medicare
17 Access and CHIP Reauthorization Act of 2015 (Public
18 Law 114–10), section 50207 of division E of the Bipar-
19 tisan Budget Act of 2018 (Public Law 115–123), section
20 1402 of division B of the Continuing Appropriations Act,
21 2020, and Health Extenders Act of 2019 (Public Law
22 116–59), section 1402 of division B of the Further Con-
23 tinuing Appropriations Act, 2020, and Further Health
24 Extenders Act of 2019 (Public Law 116–69), section 103
25 of division N of the Further Consolidated Appropriations

1 Act, 2020 (Public Law 116–94), section 3803 of the
2 CARES Act (Public Law 116–136), and section 2203 of
3 the Continuing Appropriations Act, 2021 and Other Ex-
4 tensions Act (Public Law 116–159), is amended by strik-
5 ing “December 11” and inserting “December 18”.

6 (b) AREA AGENCIES ON AGING.—Subsection
7 (b)(1)(B)(xi) of such section 119, as so amended, is
8 amended by striking “December 11” and inserting “De-
9 cember 18”.

10 (c) AGING AND DISABILITY RESOURCE CENTERS.—
11 Subsection (c)(1)(B)(xi) of such section 119, as so amend-
12 ed, is amended by striking “December 11” and inserting
13 “December 18”.

14 (d) CONTRACT WITH THE NATIONAL CENTER FOR
15 BENEFITS AND OUTREACH ENROLLMENT.—Subsection
16 (d)(2)(xi) of such section 119, as so amended, is amended
17 by striking “December 11” and inserting “December 18”.

18 **SEC. 1103. EXTENSION OF FUNDING FOR QUALITY MEAS-**
19 **URE ENDORSEMENT, INPUT, AND SELECTION.**

20 Section 1890(d)(2) of the Social Security Act (42
21 U.S.C. 1395aaa(d)(2)) is amended by striking “December
22 11” each place such phrase appears and inserting “De-
23 cember 18” in each such place.

1 **SEC. 1104. EXTENSION OF COMMUNITY MENTAL HEALTH**
2 **SERVICES DEMONSTRATION PROGRAM.**

3 Section 223(d)(3) of the Protecting Access to Medi-
4 care Act of 2014 (42 U.S.C. 1396a note), as amended by
5 Public Law 116–159, is amended by striking “December
6 11” and inserting “December 18”.

7 **SEC. 1105. EXTENSION OF SPOUSAL IMPOVERISHMENT**
8 **PROTECTIONS.**

9 (a) IN GENERAL.—Section 2404 of the Patient Pro-
10 tection and Affordable Care Act (42 U.S.C. 1396r-5 note),
11 as amended by Public Law 116–159, is amended by strik-
12 ing “December 11” and inserting “December 18”.

13 (b) RULE OF CONSTRUCTION.—Nothing in section
14 2404 of Public Law 111-148 (42 U.S.C. 1396r-5 note)
15 or section 1902(a)(17) or 1924 of the Social Security Act
16 (42 U.S.C. 1396a(a)(17), 1396r-5) shall be construed as
17 prohibiting a State from—

18 (1) applying an income or resource disregard
19 under a methodology authorized under section
20 1902(r)(2) of such Act (42 U.S.C. 1396a(r)(2))—

21 (A) to the income or resources of an indi-
22 vidual described in section
23 1902(a)(10)(A)(ii)(VI) of such Act (42 U.S.C.
24 1396a(a)(10)(A)(ii)(VI)) (including a disregard
25 of the income or resources of such individual’s
26 spouse); or

1 (B) on the basis of an individual’s need for
2 home and community-based services authorized
3 under subsection (c), (d), (i), or (k) of section
4 1915 of such Act (42 U.S.C. 1396n) or under
5 section 1115 of such Act (42 U.S.C. 1315); or
6 (2) disregarding an individual’s spousal income
7 and assets under a plan amendment to provide med-
8 ical assistance for home and community-based serv-
9 ices for individuals by reason of being determined el-
10 igible under section 1902(a)(10)(C) of such Act (42
11 U.S.C. 1396a(a)(10)(C)) or by reason of section
12 1902(f) of such Act (42 U.S.C. 1396a(f)) or other-
13 wise on the basis of a reduction of income based on
14 costs incurred for medical or other remedial care
15 under which the State disregarded the income and
16 assets of the individual’s spouse in determining the
17 initial and ongoing financial eligibility of an indi-
18 vidual for such services in place of the spousal im-
19 poverishment provisions applied under section 1924
20 of such Act (42 U.S.C. 1396r-5).

21 **SEC. 1106. EXTENSION OF DELAY OF DSH REDUCTIONS.**

22 Section 1923(f)(7) of the Social Security Act (42
23 U.S.C. 1396r-4(f)(7)(A)) is amended by striking “Decem-
24 ber 12” each place such phrase appears and inserting
25 “December 19” in each such place.

1 **SEC. 1107. EXTENSION OF MONEY FOLLOWS THE PERSON.**

2 Section 6071(h)(1)(H) of the Deficit Reduction Act
3 of 2005 (42 U.S.C. 1396a note) is amended by striking
4 “December 11” and inserting “December 18”.

5 **TITLE II—PUBLIC HEALTH EX-**
6 **TENDERS AND FOOD AND**
7 **DRUG ADMINISTRATION PRO-**
8 **VISIONS**

9 **Subtitle A—Public Health**
10 **Extenders**

11 **SEC. 1201. EXTENDING FUNDING FOR COMMUNITY HEALTH**
12 **CENTERS, NATIONAL HEALTH SERVICE**
13 **CORPS, AND TEACHING HEALTH CENTER**
14 **GME.**

15 (a) **COMMUNITY HEALTH CENTERS.**—Section
16 10503(b)(1)(F) of the Patient Protection and Affordable
17 Care Act (42 U.S.C. 254b–2(b)(1)(F)) is amended—

18 (1) by striking “\$789,041,096” and inserting
19 “\$865,753,425”; and

20 (2) by striking “December 11, 2020” and in-
21 serting “December 18, 2020”.

22 (b) **NATIONAL HEALTH SERVICE CORPS.**—Section
23 10503(b)(2)(H) of the Patient Protection and Affordable
24 Care Act (42 U.S.C. 254b–2(b)(2)(H)) is amended—

25 (1) by striking “\$61,150,685” and inserting
26 “\$67,095,890”; and

1 (2) by striking “December 11, 2020” and in-
2 serting “December 18, 2020”.

3 (c) TEACHING HEALTH CENTERS THAT OPERATE
4 GRADUATE MEDICAL EDUCATION PROGRAMS.—Section
5 340H(g)(1) of the Public Health Service Act (42 U.S.C.
6 256h(g)(1)) is amended—

7 (1) by striking “\$24,953,425” and inserting
8 “\$27,379,452”; and

9 (2) by striking “December 11, 2020” and in-
10 serting “December 18, 2020”.

11 (d) APPLICATION OF PROVISIONS.—Amounts appro-
12 priated pursuant to the amendments made by this section
13 for the period beginning on December 11, 2020, and end-
14 ing on December 18, 2020, shall be subject to the require-
15 ments contained in Public Law 116–94 for funds for pro-
16 grams authorized under sections 330 through 340 of the
17 Public Health Service Act.

18 (e) CONFORMING AMENDMENTS.—Paragraph (4) of
19 section 3014(h) of title 18, United States Code, as amend-
20 ed by section 3831(e) of the CARES Act (Public Law
21 116–136), is amended—

22 (1) by striking “Social Services Act,,” and in-
23 serting “Social Services Act,”; and

24 (2) by striking “and section 2101 of the Con-
25 tinuing Appropriations Act, 2021 and Other Exten-

1 sions Act” and inserting “section 2101 of the Con-
2 tinuing Appropriations Act, 2021 and Other Exten-
3 sions Act, and section 1201(d) of the Further Con-
4 tinuing Appropriations Act, 2021, and Other Exten-
5 sions Act”.

6 **SEC. 1202. DIABETES PROGRAMS.**

7 (a) SPECIAL DIABETES PROGRAMS FOR TYPE I DIA-
8 BETES.—Section 330B(b)(2)(D) of the Public Health
9 Service Act (42 U.S.C. 254c–2(b)(2)(D)) is amended—

10 (1) by striking “\$29,589,042” and inserting
11 “\$32,465,753”; and

12 (2) by striking “December 11, 2020” and in-
13 serting “December 18, 2020”.

14 (b) SPECIAL DIABETES PROGRAMS FOR INDIANS.—
15 Section 330C(c)(2)(D) of the Public Health Service Act
16 (42 U.S.C. 254c–3(c)(2)(D)) is amended—

17 (1) by striking “\$29,589,042” and inserting
18 “\$32,465,753”; and

19 (2) by striking “December 11, 2020” and in-
20 serting “December 18, 2020”.

21 **SEC. 1203. PERSONAL RESPONSIBILITY EDUCATION; SEX-**
22 **UAL RISK AVOIDANCE EDUCATION.**

23 (a) SEXUAL RISK AVOIDANCE EDUCATION.—Section
24 510 of the Social Security Act (42 U.S.C. 710) is amended

1 by striking “December 11, 2020” each place it appears
2 and inserting “December 18, 2020”.

3 (b) **PERSONAL RESPONSIBILITY EDUCATION.**—Sec-
4 tion 513 of the Social Security Act (42 U.S.C. 713) is
5 amended by striking “December 11, 2020” each place it
6 appears and inserting “December 18, 2020”.

7 **Subtitle B—Food and Drug** 8 **Administration Provisions**

9 **SEC. 1211. RARE PEDIATRIC DISEASE PRIORITY REVIEW**
10 **VOUCHER EXTENSION.**

11 Section 529(b)(5) of the Federal Food, Drug, and
12 Cosmetic Act (21 U.S.C. 360ff(b)(5)) is amended—

13 (1) by striking “December 11, 2020” each
14 place it appears and inserting “December 18,
15 2020”; and

16 (2) in subparagraph (B), by striking “Decem-
17 ber 11, 2022” and inserting “December 18, 2022”.

18 **TITLE III—OFFSETS**

19 **SEC. 1301. TRANSPARENCY OF MEDICARE SECONDARY**
20 **PAYER REPORTING INFORMATION.**

21 Section 1862(b)(8)(G) of the Social Security Act (42
22 U.S.C. 395y(b)(8)(G)) is amended—

23 (1) by striking “**INFORMATION.**—The Sec-
24 retary” and inserting “**INFORMATION.**—

1 “(i) IN GENERAL.—The Secretary”;

2 and

3 (2) by adding at the end the following new
4 clause:

5 “(ii) SPECIFIED INFORMATION.—In
6 responding to any query made on or after
7 the date that is 1 year after the date of the
8 enactment of this clause from an applica-
9 ble plan related to a determination de-
10 scribed in subparagraph (A)(i), the Sec-
11 retary, notwithstanding any other provision
12 of law, shall provide to such applicable
13 plan—

14 “(I) whether a claimant subject
15 to the query is, or during the pre-
16 ceding 3-year period has been, entitled
17 to benefits under the program under
18 this title on any basis; and

19 “(II) to the extent applicable, the
20 plan name and address of any Medi-
21 care Advantage plan under part C
22 and any prescription drug plan under
23 part D in which the claimant is en-
24 rolled or has been enrolled during
25 such period.”.

1 **SEC. 1302. DISPENSATION OF NARCOTIC DRUGS FOR THE**
2 **PURPOSE OF RELIEVING ACUTE WITH-**
3 **DRAWAL SYMPTOMS FROM OPIOID USE DIS-**
4 **ORDER.**

5 Not later than 180 days after the date of enactment
6 of this Act, the Attorney General shall revise section
7 1306.07(b) of title 21, Code of Federal Regulations, so
8 that practitioners, in accordance with applicable State,
9 Federal, or local laws relating to controlled substances, are
10 allowed to dispense not more than a three-day supply of
11 narcotic drugs to one person or for one person's use at
12 one time for the purpose of initiating maintenance treat-
13 ment or detoxification treatment (or both).

14 **SEC. 1303. MEDICAID IMPROVEMENT FUND.**

15 Section 1941(b)(3)(A) of the Social Security Act (42
16 U.S.C 1396w-1(b)(3)(A)) is amended by striking
17 "\$3,446,000,000" and inserting "\$3,464,000,000".

18 **TITLE IV—BUDGETARY EFFECTS**

19 **SEC. 1401. BUDGETARY EFFECTS.**

20 (a) **STATUTORY PAYGO SCORECARDS.**—The budg-
21 etary effects of this division shall not be entered on either
22 PAYGO scorecard maintained pursuant to section 4(d) of
23 the Statutory Pay-As-You-Go Act of 2010.

24 (b) **SENATE PAYGO SCORECARDS.**—The budgetary
25 effects of this division shall not be entered on any PAYGO

1 scorecard maintained for purposes of section 4106 of H.
2 Con. Res. 71 (115th Congress).

3 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—

4 Notwithstanding Rule 3 of the Budget Scorekeeping
5 Guidelines set forth in the joint explanatory statement of
6 the committee of conference accompanying Conference Re-
7 port 105–217 and section 250(c)(8) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985, the
9 budgetary effects of this division shall not be estimated—

10 (1) for purposes of section 251 of such Act; and

11 (2) for purposes of paragraph (4)(C) of section

12 3 of the Statutory Pay-As-You-Go Act of 2010 as

13 being included in an appropriation Act.