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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To require the coverage of testing for certain sexually transmitted infections
without the imposition of cost sharing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WILLIAMS of Georgia introduced the following bill; which was referred to
the Committee on _____

A BILL

To require the coverage of testing for certain sexually trans-
mitted infections without the imposition of cost sharing,
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 “Equity in STI Testing
5 Act”.

1 **SEC. 2. COVERAGE OF TESTING FOR CERTAIN SEXUALLY**
2 **TRANSMITTED INFECTIONS WITHOUT COST**
3 **SHARING.**

4 (a) COVERAGE OF TESTING UNDER MEDICARE AD-
5 VANTAGE.—

6 (1) COVERAGE.—Section 1852(a)(1)(B) of the
7 Social Security Act (42 U.S.C. 1395w–22(a)(1)(B))
8 is amended—

9 (A) in clause (iv)—

10 (i) by redesignating subclause (VIII)
11 as subclause (IX); and

12 (ii) by inserting after subclause (VII)
13 the following new subclause:

14 “(VIII) Screening testing for
15 each of HIV, gonorrhea, syphilis,
16 trichomoniasis, and chlamydia (and
17 the administration of such tests) for
18 which benefits are provided under
19 part B as an additional preventive
20 service.”; and

21 (B) in clause (v), by striking “and (VI)”
22 and inserting “(VI), and (VIII)”.

23 (2) EFFECTIVE DATE.—The amendments made
24 by this subsection shall take effect on the date of the
25 enactment of this Act and shall apply with respect
26 to plan years beginning after such date.

1 (b) COVERAGE OF TESTING UNDER MEDICAID.—

2 (1) COVERAGE.—Section 1905(a) of such Act
3 (42 U.S.C. 1396d(a)) is amended—

4 (A) in paragraph (3)—

5 (i) in subparagraph (A), by striking
6 “and” at the end;

7 (ii) in subparagraph (B), by adding
8 “and” at the end; and

9 (iii) by adding at the end the fol-
10 lowing new subparagraph:

11 “(C) screening testing for each of HIV, gonor-
12 rhea, syphilis, trichomoniasis, and chlamydia (and
13 the administration of such tests), if such testing (or
14 administration, as applicable) would be covered
15 under health insurance coverage pursuant to section
16 2713(a)(1) of the Public Health Service Act for an
17 individual enrolled under such coverage;” and

18 (B) in paragraph (13), in the matter pre-
19 ceding subparagraph (A), by inserting “(other
20 than testing and services described in para-
21 graph (3)(C))” after “preventive”.

22 (2) ELIMINATION OF COST-SHARING.—Section
23 1916 of such Act (42 U.S.C. 1396o) is amended—

24 (A) in subsection (a)(2)—

1 (i) in subparagraph (I), by striking
2 “or” at the end;

3 (ii) in subparagraph (J), by striking
4 “and” at the end and inserting “or”; and

5 (iii) by adding at the end the fol-
6 lowing new subparagraph:

7 “(K) screening testing (and the adminis-
8 tration of such tests) described in section
9 1905(a)(3)(C); and”; and

10 (B) in subsection (b)(2)—

11 (i) in subparagraph (I), by striking
12 “or” at the end;

13 (ii) in subparagraph (J), by striking
14 “and” at the end and inserting “or”; and

15 (iii) by adding at the end the fol-
16 lowing new subparagraph:

17 “(K) screening testing (and the adminis-
18 tration of such tests) described in section
19 1905(a)(3)(C); and”.

20 (3) APPLICATION TO ALTERNATIVE COST-SHAR-
21 ING.—Section 1916A(b)(3)(B) of such Act (42
22 U.S.C. 1396o–1(b)(3)(B)) is amended by adding at
23 the end the following new clause:

1 “(xv) Screening testing (and the ad-
2 ministration of such tests) described in
3 section 1905(a)(3)(C).”.

4 (4) EFFECTIVE DATE.—

5 (A) IN GENERAL.—Except as provided in
6 subparagraph (B), the amendments made by
7 this subsection shall take effect on the date of
8 the enactment of this Act and shall apply with
9 respect to calendar year quarters beginning on
10 or after the date that is one year after such
11 date.

12 (B) EXCEPTION IF STATE LEGISLATION
13 REQUIRED.—In the case of a State plan for
14 medical assistance under title XIX of the Social
15 Security Act which the Secretary of Health and
16 Human Services determines requires State leg-
17 islation (other than legislation appropriating
18 funds) in order for the plan to meet the addi-
19 tional requirements imposed by the amend-
20 ments made by this subsection, the State plan
21 shall not be regarded as failing to comply with
22 the requirements of such title solely on the
23 basis of its failure to meet these additional re-
24 quirements before the first day of the first cal-
25 endar quarter beginning after the close of the

1 first regular session of the State legislature that
2 begins after the date of the enactment of this
3 Act. For purposes of the previous sentence, in
4 the case of a State that has a 2-year legislative
5 session, each year of such session shall be
6 deemed to be a separate regular session of the
7 State legislature.

8 (c) COVERAGE OF TESTING UNDER CHIP.—

9 (1) REQUIRED COVERAGE OF SEXUALLY TRANS-
10 MITTED INFECTIONS TESTING.—Section 2103(c) of
11 such Act (42 U.S.C. 1397cc(c)) is amended by add-
12 ing at the end the following new paragraph:

13 “(13) REQUIRED COVERAGE OF SEXUALLY
14 TRANSMITTED INFECTIONS TESTING.—The child
15 health assistance provided to a targeted low-income
16 child shall include coverage of any screening testing
17 for each of HIV, gonorrhea, syphilis, trichomoniasis,
18 and chlamydia (and the administration of such
19 tests), if such testing (or administration, as applica-
20 ble) would be covered under health insurance cov-
21 erage pursuant to section 2713(a)(1) of the Public
22 Health Service Act for an individual enrolled under
23 such coverage.”.

1 (2) ELIMINATION OF COST-SHARING.—Section
2 2103(e)(2) of such Act (42 U.S.C. 1397cc(e)(2)) is
3 amended—

4 (A) in the heading, by inserting “SEXU-
5 ALLY TRANSMITTED INFECTIONS TESTING,” be-
6 fore “OR PREGNANCY-RELATED ASSISTANCE”;
7 and

8 (B) by inserting “screening testing de-
9 scribed in subsection (c)(12) (and the adminis-
10 tration of such tests)” before “services de-
11 scribed in section 1916(a)(2)(G)”.

12 (3) EFFECTIVE DATE.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), the amendments made by
15 this subsection shall take effect on the date of
16 the enactment of this Act and shall apply with
17 respect to calendar year quarters beginning on
18 or after the date that is one year after such
19 date.

20 (B) EXCEPTION IF STATE LEGISLATION
21 REQUIRED.—In the case of a State child health
22 plan for child health assistance under title XXI
23 of the Social Security Act which the Secretary
24 of Health and Human Services determines re-
25 quires State legislation (other than legislation

1 appropriating funds) in order for the plan to
2 meet the additional requirements imposed by
3 the amendments made by this subsection, the
4 State child health plan shall not be regarded as
5 failing to comply with the requirements of such
6 title solely on the basis of its failure to meet
7 these additional requirements before the first
8 day of the first calendar quarter beginning after
9 the close of the first regular session of the
10 State legislature that begins after the date of
11 the enactment of this Act. For purposes of the
12 previous sentence, in the case of a State that
13 has a 2-year legislative session, each year of
14 such session shall be deemed to be a separate
15 regular session of the State legislature.

16 (d) COVERAGE OF TESTING WITH RESPECT TO
17 TRICARE.—

18 (1) COVERAGE.—Title 10, United States Code,
19 is amended—

20 (A) in section 1074d—

21 (i) by redesignating subsection (b) as
22 subsection (c); and

23 (ii) by inserting before subsection (c),
24 as so redesignated, the following new sub-
25 section:

1 “(b) COVERAGE OF SEXUALLY TRANSMITTED INFECTIONS TESTING.—Members and former members of the
2 uniformed services entitled to medical care under section
3 1074 or 1074a of this title shall also be entitled to screen-
4 ing testing for each of HIV, gonorrhea, syphilis, trichomo-
5 niasis, and chlamydia (and the administration of such
6 tests), if such testing (or administration, as applicable)
7 would be covered under health insurance coverage pursu-
8 ant to section 2713(a)(1) of the Public Health Service Act
9 for an individual enrolled under such coverage, as part of
10 such medical care.”; and

12 (B) in section 1079(a), by adding at the
13 end the following new paragraph:

14 “(20) Screening testing for each of HIV, gonor-
15 rhea, syphilis, trichomoniasis, and chlamydia (and
16 the administration of such tests), if such testing (or
17 administration, as applicable) would be covered
18 under health insurance coverage pursuant to section
19 2713(a)(1) of the Public Health Service Act for an
20 individual enrolled under such coverage, shall be pro-
21 vided as appropriate.”.

22 (2) ELIMINATION OF COST-SHARING.—Such
23 title is further amended—

24 (A) in section 1075a, by adding at the end
25 the following new subsection:

1 “(d) ELIMINATION OF COST-SHARING FOR SEXU-
2 ALLY TRANSMITTED INFECTIONS TESTING.—Notwith-
3 standing any other provision under this section, cost-shar-
4 ing may not be imposed or collected with respect to any
5 beneficiary enrolled in TRICARE Prime for screening
6 testing for each of HIV, gonorrhea, syphilis, trichomo-
7 niasis, and chlamydia (and the administration of such
8 tests), if such testing (or administration, as applicable)
9 would be covered under health insurance coverage pursu-
10 ant to section 2713(a)(1) of the Public Health Service Act
11 for an individual enrolled under such coverage, that is pro-
12 vided under TRICARE Prime.”;

13 (B) in section 1075(c), by adding at the
14 end the following new paragraph:

15 “(4) Notwithstanding any other provision under
16 this section, cost-sharing may not be imposed or col-
17 lected with respect to any beneficiary enrolled in
18 TRICARE Select for screening testing for each of
19 HIV, gonorrhea, syphilis, trichomoniasis, and
20 chlamydia (and the administration of such tests), if
21 such testing (or administration, as applicable) would
22 be covered under health insurance coverage pursuant
23 to section 2713(a)(1) of the Public Health Service
24 Act for an individual enrolled under such coverage,
25 that is provided under TRICARE Select.”; and

1 (C) in section 1086(d)(3)—

2 (i) by redesignating subparagraph (C)

3 as subparagraph (D); and

4 (ii) by inserting before subparagraph

5 (D), as so redesignated, the following new

6 subparagraph:

7 “(C) Notwithstanding any other provision

8 under this section, cost-sharing may not be im-

9 posed or collected under a plan under sub-

10 section (a) with respect to a person described in

11 paragraph (2) for screening testing for each of

12 HIV, gonorrhea, syphilis, trichomoniasis, and

13 chlamydia (and the administration of such

14 tests), if such testing (or administration, as ap-

15 plicable) would be covered under health insur-

16 ance coverage pursuant to section 2713(a)(1) of

17 the Public Health Service Act for an individual

18 enrolled under such coverage.”.

19 (3) EFFECTIVE DATE.—The amendments made

20 by this subsection shall take effect on January 1 of

21 the year following the date of the enactment of this

22 Act.

23 (e) COVERAGE OF TESTING WITH RESPECT TO VET-

24 ERANS.—

1 (1) COVERAGE.—Chapter 17 of title 38, United
2 States Code, is amended by inserting after section
3 1720J the following new section (and conforming
4 the table of sections at the beginning of such chap-
5 ter accordingly):

6 **“§ 1720K. Sexually transmitted infections testing**

7 “(a) COVERAGE OF SEXUALLY TRANSMITTED INFECTIONS TESTING.—The Secretary shall furnish screening
8 testing for each of HIV, gonorrhea, syphilis, trichomonia-
9 niasis, and chlamydia (and the administration of such
10 tests), if such testing (or administration, as applicable)
11 would be covered under health insurance coverage pursu-
12 ant to section 2713(a)(1) of the Public Health Service Act
13 for an individual enrolled under such coverage, to an eligi-
14 ble individual at a medical facility of the Department pur-
15 suant to this section.

17 “(b) ELIGIBILITY.—An individual is eligible for the
18 testing described in subsection (a) if the individual is a
19 veteran who is enrolled in the system of annual patient
20 enrollment established under section 1705(a) of this title.

21 “(c) PROHIBITION ON COST-SHARING.—Notwith-
22 standing subsections (f) and (g) of section 1710 and sec-
23 tion 1722A of this title, the Secretary may not require
24 an eligible individual to make any copayment for, or

1 charge such individual for any other cost of, the receipt
2 of the testing described in subsection (a).”.

3 (2) EFFECTIVE DATE.—The amendments made
4 by this subsection shall take effect on January 1 of
5 the year following the date of the enactment of this
6 Act.

7 (f) COVERAGE OF TESTING WITH RESPECT TO INDI-
8 ANS RECEIVING PURCHASED/REFERRED CARE.—

9 (1) COVERAGE.—The Secretary of Health and
10 Human Services shall cover, without the imposition
11 of any cost sharing requirements, the cost of pro-
12 viding screening testing (and the administration of
13 such tests) for each of HIV, gonorrhea, syphilis,
14 trichomoniasis, and chlamydia, if such testing (or
15 administration, as applicable) would be covered
16 under health insurance coverage pursuant to section
17 2713(a)(1) of the Public Health Service Act for an
18 individual enrolled under such coverage, to Indians
19 (as defined in section 4 of the Indian Health Care
20 Improvement Act (25 U.S.C. 1603)) receiving health
21 services through the Indian Health Service, includ-
22 ing through an Urban Indian Organization, regard-
23 less of whether such tests have been authorized
24 under the purchased/referred care system funded by

1 the Indian Health Service or are covered as a health
2 service of the Indian Health Service.

3 (2) EFFECTIVE DATE.—This subsection shall
4 take effect on the date of the enactment of this Act
5 and shall apply to items and services furnished on
6 or after the first day of the calendar year beginning
7 after such date.