

118TH CONGRESS
2D SESSION

S. 5182

To amend title XIX of the Social Security Act to require the collection of information regarding social determinants of health, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. SULLIVAN (for himself and Ms. CORTEZ MASTO) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to require the collection of information regarding social determinants of health, 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 “Utilizing National
5 Data, Effectively Reforming Standards and Tools, to Ad-
6 dress Negative Determinates of Health Act” or the “UN-
7 DERSTAND Act”.

1 **SEC. 2. COLLECTION OF INFORMATION RELATED TO SO-**
 2 **CIAL DETERMINANTS OF THE HEALTH OF**
 3 **MEDICAID AND CHIP BENEFICIARIES.**

4 (a) REPORTING OF INFORMATION.—Section 1946 of
 5 the Social Security Act (42 U.S.C. 1396w–5) is amended
 6 by adding at the end the following:

7 “(d) COLLECTION OF INFORMATION RELATED TO
 8 SOCIAL DETERMINANTS OF HEALTH.—

9 “(1) DEVELOPMENT OF UNIFORM REPORTING
 10 FIELD.—

11 “(A) IN GENERAL.—Not later than 18
 12 months after the date of enactment of this sub-
 13 section, the Secretary, in consultation with the
 14 States, shall develop a model uniform reporting
 15 field through the transformed Medicaid Statis-
 16 tical Information System (T–MSIS), as ap-
 17 proved by the Secretary, for collecting stand-
 18 ardized and aggregated State-level information
 19 related to social determinants that may factor
 20 into the health of beneficiaries under this title
 21 who are eligible for medical assistance for which
 22 Federal financial participation is available and
 23 beneficiaries under title XXI who are eligible
 24 for child health assistance for which Federal fi-
 25 nancial participation is available which the
 26 States, notwithstanding section 1902(a)(7) and

1 as a condition for meeting the requirements of
2 section 1902(a)(6) and section 2107(b)(1), shall
3 use to annually report such information.

4 “(B) IMPLEMENTATION.—In carrying out
5 the requirements of subparagraph (A), the Sec-
6 retary shall—

7 “(i) determine the appropriate pro-
8 viders and frequency with which such pro-
9 viders may submit standardized informa-
10 tion to States to be used to complete the
11 uniform reporting field developed under
12 such subparagraph;

13 “(ii) issue guidance for ensuring com-
14 pliance with applicable laws regarding ben-
15 eficiary informed consent, privacy, and an-
16 onymity with respect to the information
17 collected through the uniform reporting
18 field;

19 “(iii) with respect to the collection of
20 information relating to beneficiaries who
21 are children, issue guidance on the collec-
22 tion of such information from a parent,
23 legal guardian, or any other person who is
24 legally authorized to share such informa-
25 tion on behalf of the child when the direct

collection of such information from children may not otherwise be feasible or appropriate; and

“(iv) issue guidance on how to reduce duplicative screenings of beneficiaries, or to ensure that information collected from a screening is entered into a beneficiary’s health record so that other providers who treat that beneficiary can see that a screening has been conducted for that beneficiary.

“(2) SOCIAL DETERMINANTS OF HEALTH DEFINED.—

“(A) IN GENERAL.—For purposes of this title and title XXI, the term ‘social determinants of health’ means the standardized definitions developed in accordance with paragraph (1) for identifying social determinants of health needs identified in the ICD–10 diagnostic codes Z55 through Z63, Z65, and Z75 (as in effect on the date of enactment of this subsection).

“(B) INCORPORATION MEASURES OF RELATIVE SEVERITY.—The Secretary shall issue guidance relating to incorporating measures for quantifying, with respect to an individual, the

1 relative severity of a social determinant of
2 health need of the individual as identified by a
3 diagnostic code referred to in subparagraph
4 (A).

5 “(3) RULES OF CONSTRUCTION.—

6 “(A) FEDERAL PRIVACY REQUIRE-
7 MENTS.—Nothing in this subsection shall be
8 construed to supersede any Federal privacy or
9 confidentiality requirement, including the regu-
10 lations promulgated under section 264(c) of the
11 Health Insurance Portability and Accountability
12 Act of 1996 and section 543 of the Public
13 Health Service Act and any regulations promul-
14 gated thereunder.

15 “(B) NO REQUIREMENT FOR THE PROVI-
16 SION OF MEDICAL ASSISTANCE.—Nothing in
17 this subsection shall be construed as allowing
18 for medical assistance for items and services for
19 which Federal financial participation is not per-
20 mitted under this title.

21 “(4) STATE REQUIREMENT TO COLLECT INFOR-
22 MATION FROM PROVIDERS.—As a condition for
23 meeting the requirements of section 1902(a)(6) and
24 section 2107(b)(1), a State shall ensure that the
25 providers identified by the Secretary under para-

graph (1)(B)(i) are conducting screenings for social needs and submitting standardized information with appropriate frequency (as identified by the Secretary under such paragraph).

“(5) APPLICATION TO TERRITORIES.—

“(A) IN GENERAL.—To the extent that the Secretary determines that it is not practicable for a State specified in subparagraph (B) to report information in accordance with the uniform reporting field made available under paragraph (1), this subsection shall not apply with respect to such State.

“(B) TERRITORIES SPECIFIED.—The States specified in this subparagraph are Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.”.

(b) REPORT.—Section 1946(b)(2) of such Act (42 U.S.C. 1396w-5(b)(2)) is amended—

(1) by striking “Not later than” and inserting the following:

“(A) INITIAL REPORTS.—Not later than”;

and

(2) by adding at the end the following:

“(B) REPORT ON COLLECTION OF INFORMATION RELATED TO SOCIAL DETERMINANTS

1 OF HEALTH.—Not later than 4 years after the
2 date of the enactment of this subparagraph, the
3 Secretary shall submit to Congress a report
4 that includes aggregate findings and trends
5 across respective beneficiary populations for im-
6 proving the identification of social determinants
7 of health for beneficiaries under this title who
8 are eligible for medical assistance for which
9 Federal financial participation is available and
10 beneficiaries under title XXI who are eligible
11 for child health assistance for which Federal fi-
12 nancial participation is available based on anal-
13 yses of the data collected under subsection
14 (d).”.

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