

119TH CONGRESS
1ST SESSION

S. 699

To amend the Indian Health Care Improvement Act to address liability for payment of charges or costs associated with the provision of purchased/referred care services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2025

Mr. ROUNDS (for himself, Ms. CANTWELL, Mr. THUNE, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Indian Health Care Improvement Act to address liability for payment of charges or costs associated with the provision of purchased/referred care services, 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 “Purchased and Re-
5 ferred Care Improvement Act of 2025”.

6 **SEC. 2. CHANGES TO LIABILITY FOR PAYMENT.**

7 (a) IN GENERAL.—Section 222 of the Indian Health
8 Care Improvement Act (25 U.S.C. 1621u) is amended—

1 (1) in subsection (a)—

2 (A) by striking “A patient who receives
3 contract health care services” and inserting
4 “Notwithstanding any other provision of law or
5 any agreement, form, or other written or elec-
6 tronic document signed by a patient, a patient
7 who receives purchased/referred care”; and

8 (B) by striking “such services” and insert-
9 ing “the purchased/referred care”;

10 (2) by striking subsection (b) and inserting the
11 following:

12 “(b) NOTIFICATION.—The Secretary shall notify a
13 purchased/referred care provider and any patient who re-
14 ceives purchased/referred care authorized by the Service
15 that, notwithstanding any other provision of law or any
16 agreement, form, or other written or electronic document
17 signed by the patient, the patient is not liable to any pro-
18 vider, debt collector, or any other person for the payment
19 of any charges or costs associated with the provision of
20 the purchased/referred care not later than 5 business days
21 after receipt of a notification of a claim by a provider of
22 the purchased/referred care.”;

23 (3) in subsection (c)—

(A) by inserting “, debt collector, or any other person, as applicable,” after “the provider”; and

(B) by striking “the services” and inserting “the purchased/referred care”; and

(4) by adding at the end the following:

“(d) REIMBURSEMENT.—

“(1) ESTABLISHMENT OF PROCEDURES.—

“(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Purchased and Referred Care Improvement Act of 2025, in consultation with Indian tribes, and except as provided in paragraph (2), the Secretary shall establish and implement procedures to allow a patient that paid out-of-pocket for purchased/referred care authorized by the Service under this Act to be reimbursed by the Service for that payment not later than 30 days after the date on which the patient submits documentation to the Service in accordance with subparagraph (B).

“(B) SUBMITTING DOCUMENTATION.—The Secretary shall accept documentation from a patient seeking reimbursement under paragraph (1) that was submitted—

1 “(i) electronically; or

2 “(ii) in-person at a Service facility.

3 “(2) LIMITATION.—Paragraph (1) shall not
4 apply to purchased/referred care furnished under a
5 purchased/referred care services program operated
6 by an Indian tribe under a contract or compact en-
7 tered into under the Indian Self-Determination and
8 Education Assistance Act (25 U.S.C. 5301 et seq.)
9 unless expressly agreed to by the Indian tribe.

10 “(e) UPDATING AUTHORITIES.—Not later than 180
11 days after the date of enactment of the Purchased and
12 Referred Care Improvement Act of 2025, the Secretary,
13 in consultation with Indian tribes, shall update applicable
14 provisions of and exhibits to the Indian Health Manual,
15 contracts with providers, and other relevant documents
16 and administrative authorities to incorporate the provi-
17 sions of this section.”.

18 (b) APPLICATION.—The amendments made by sub-
19 section (a) shall apply to purchased/referred care (as de-
20 fined in section 4 of the Indian Health Care Improvement
21 Act (25 U.S.C. 1603)) authorized by the Indian Health
22 Service furnished on, before, or after the date of enact-
23 ment of this Act.

1 **SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.**

2 (a) DEFINITIONS.—Section 4 of the Indian Health
3 Care Improvement Act (25 U.S.C. 1603) is amended—

4 (1) by striking paragraph (5);

5 (2) by redesignating paragraphs (6) through
6 (15) as paragraph (5) through (14), respectively;

7 (3) in paragraph (12) (as so redesignated), in
8 the matter preceding subparagraph (A), by striking
9 “, as defined in subsection (d) hereof,”;

10 (4) by inserting after paragraph (14) (as so re-
11 designated) the following:

12 “(15) PURCHASED/REFERRED CARE.—The
13 term ‘purchased/referred care’ means any health
14 service that is—

15 “(A) delivered based on a referral by, or at
16 the expense of, an Indian health program; and

17 “(B) provided by a public or private med-
18 ical provider or hospital that is not a provider
19 or hospital of the Indian health program.”;

20 (5) in paragraph (25), by striking “(25 U.S.C.
21 450 et seq.)” and inserting “(25 U.S.C. 5301 et
22 seq.)”;

23 (6) in paragraph (26), by striking “(25 U.S.C.
24 450b)” and inserting “(25 U.S.C. 5304)”; and

25 (7) in paragraph (28)—

1 (A) by striking “, as defined in subsection
2 (g) hereof,”; and

3 (B) by striking “subsection (c)(1) through
4 (4) of this section” and inserting “subpara-
5 graphs (A) through (D) of paragraph (12)”.

6 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

7 (1) The Indian Health Care Improvement Act
8 (25 U.S.C. 1601 et seq.) is amended—

9 (A) by striking “contract health service”
10 each place it appears and inserting “purchased/
11 referred care”;

12 (B) by striking “contract health services”
13 each place it appears and inserting “purchased/
14 referred care”;

15 (C) by striking “Contract Health Service”
16 each place it appears and inserting “purchased/
17 referred care”;

18 (D) by striking “Contract Health Services”
19 each place it appears and inserting “purchased/
20 referred care”; and

21 (E) by striking “contract care” each place
22 it appears and inserting “purchased/referred
23 care”.

24 (2) Section 211 of the Indian Health Care Im-
25 provement Act (25 U.S.C. 1621j) is amended by

1 striking the section heading and designation and all
 2 that follows through “(a) The Secretary” and insert-
 3 ing the following:

4 **“SEC. 211. CALIFORNIA PURCHASED/REFERRED CARE DEM-**
 5 **ONSTRATION PROGRAM.**

6 “(a) The Secretary”.

7 (3) Section 219 of the Indian Health Care Im-
 8 provement Act (25 U.S.C. 1621r) is amended by
 9 striking the section heading and designation and all
 10 that follows through “(a) The Secretary” and insert-
 11 ing the following:

12 **“SEC. 219. PURCHASED/REFERRED CARE PAYMENT STUDY.**

13 “(a) The Secretary”.

14 (4) Section 226 of the Indian Health Care Im-
 15 provement Act (25 U.S.C. 1621y) is amended, in the
 16 section heading, by striking “**CONTRACT HEALTH**
 17 **SERVICE**” and inserting “**PURCHASED/RE-**
 18 **REFERRED CARE**”.

19 (5) Section 406 of the Indian Health Care Im-
 20 provement Act (25 U.S.C. 1646) is amended by
 21 striking the section heading and designation and all
 22 that follows through “With respect” and inserting
 23 the following:

1 **“SEC. 406. AUTHORIZATION FOR EMERGENCY PURCHASED/**
 2 **REFERRED CARE.**

3 “With respect”.

4 (6) Section 506(f) of the Indian Health Care
 5 Improvement Act (25 U.S.C. 1656(f)) is amended by
 6 striking “, as defined in section 4(f) of this Act,”.

7 (7) Section 704(b) of the Indian Health Care
 8 Improvement Act (25 U.S.C. 1665c(b)) is amended,
 9 in the subsection heading, by striking “CONTRACT
 10 HEALTH SERVICES” and inserting “PURCHASED/RE-
 11 FERRED CARE”.

12 (8) Section 808 of the Indian Health Care Im-
 13 provement Act (25 U.S.C. 1678) is amended, in the
 14 section heading, by striking “**CONTRACT HEALTH**
 15 **SERVICE**” and inserting “**PURCHASED/RE-**
 16 **REFERRED CARE**”.

17 (9) Section 808A of the Indian Health Care
 18 Improvement Act (25 U.S.C. 1678a) is amended, in
 19 the section heading, by striking “**CONTRACT**
 20 **HEALTH SERVICE**” and inserting “**PURCHASED/**
 21 **REFERRED CARE**”.

22 (10) Section 810 of the Indian Health Care Im-
 23 provement Act (25 U.S.C. 1680) is amended by
 24 striking the section heading and designation and all
 25 that follows through “The State” and inserting the
 26 following:

1 **“SEC. 810. CALIFORNIA AS A PURCHASED/REFERRED CARE**
 2 **DELIVERY AREA.**

3 “The State”.

4 (11) Section 815 of the Indian Health Care Im-
 5 provement Act (25 U.S.C. 1680e) is amended by
 6 striking the section heading and designation and all
 7 that follows through “(a) The Secretary” and insert-
 8 ing the following:

9 **“SEC. 815. PURCHASED/REFERRED CARE FOR THE TREN-**
 10 **TON SERVICE AREA.**

11 “(a) The Secretary”.

12 (12) Section 830(b) of the Indian Health Care
 13 Improvement Act (25 U.S.C. 1680t(b)) is amended,
 14 in the subsection heading, by striking “CONTRACT
 15 HEALTH SERVICES” and inserting “PURCHASED/RE-
 16 FERRED CARE”.

17 (13) Section 506A(a) of the Public Health
 18 Service Act (42 U.S.C. 290aa–5a(a)) is amended—

19 (A) in paragraph (2), by striking “Tribal
 20 health program” the second place it appears
 21 and inserting “tribal health program”; and

22 (B) in paragraph (3)—

23 (i) by striking “health program ad-
 24 ministered by the Service” and inserting
 25 “health program administered directly by
 26 the Service”; and

1 (ii) by striking “section 4(12)(A) of
2 the Indian Health Care Improvement Act”
3 and inserting “paragraph (11)(A) of sec-
4 tion 4 of the Indian Health Care Improve-
5 ment Act (25 U.S.C. 1603)”.

6 (c) UPDATING AUTHORITIES.—The Secretary of
7 Health and Human Services is directed to ensure that the
8 Indian Health Manual and all other relevant rules, guid-
9 ance, manuals, and other materials are revised such that
10 “contract health service” each place it appears (regardless
11 of casing and typeface and including in the headings) is
12 revised to read “purchased/referred care” (with appro-
13 priate casing and typeface).

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