

119TH CONGRESS  
1ST SESSION

# H. R. 3864

To amend title XI of the Social Security Act to prohibit the use of quality-adjusted life years and similar measures in coverage and payment determinations under Federal health care programs.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 2025

Mrs. CAMMACK (for herself and Mr. HERN of Oklahoma) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XI of the Social Security Act to prohibit the use of quality-adjusted life years and similar measures in coverage and payment determinations under Federal health care programs.

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 “Protecting Health Care  
5 for All Patients Act of 2025”.

1 **SEC. 2. PROHIBITING THE USE OF QUALITY-ADJUSTED**  
2 **LIFE YEARS AND SIMILAR MEASURES IN COV-**  
3 **ERAGE AND PAYMENT DETERMINATIONS**  
4 **UNDER FEDERAL HEALTH CARE PROGRAMS.**

5 (a) IN GENERAL.—Section 1182(e) of the Social Se-  
6 curity Act (42 U.S.C. 1320e–1(e)) is amended—

7 (1) by inserting “or treats extending the life of  
8 an elderly, disabled, or terminally ill individual as of  
9 lower value than extending the life of an individual  
10 who is younger, non-disabled, or not terminally ill”  
11 after “because of an individual’s disability”;

12 (2) by inserting “described in the preceding  
13 sentence” after “such a similar measure”;

14 (3) by striking “The Secretary shall not” and  
15 inserting “A Federal agency (including the CMI (as  
16 described in section 1115A)) or State may not”;

17 (4) by striking “under title XVIII.” and insert-  
18 ing the following: “under any Federal health care  
19 program (as defined in section 1128B, except that  
20 such term shall include the health program estab-  
21 lished under chapter 89 of title 5, United States  
22 Code).”; and

23 (5) by adding at the end the following new sen-  
24 tence: “Notwithstanding any other provision of law,  
25 a Federal agency (including the CMI) or State may  
26 not waive the application of the provisions of this

1 subsection (or the provisions of section 1852(o), sec-  
2 tion 1860D–12(h), section 1902(a)(88), section  
3 1932(b)(9), or section 2102(e)) under section 1115,  
4 section 1115A, or any other demonstration or waiver  
5 authority.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) MEDICAID.—

8 (A) IN GENERAL.—Section 1902(a) of the  
9 Social Security Act (42 U.S.C. 1396a(a)) is  
10 amended—

11 (i) in paragraph (86), by striking  
12 “and” at the end;

13 (ii) in paragraph (87)(D), by striking  
14 the period and inserting “; and”; and

15 (iii) by inserting after paragraph (87)  
16 the following new paragraph:

17 “(88) provide for compliance with the require-  
18 ments of section 1182(e) (relating to prohibiting the  
19 use of certain measures in coverage determinations,  
20 reimbursement, and incentive programs).”.

21 (B) MANAGED CARE ORGANIZATIONS.—

22 Section 1932(b) of the Social Security Act (42  
23 U.S.C. 1396u–2(b)) is amended by adding at  
24 the end the following new paragraph:

1           “(9) PROHIBITION ON USE OF QUALITY-AD-  
2 JUSTED LIFE YEARS.—The provisions of section  
3 1182(e) shall apply to the utilization of a dollars-  
4 per-quality adjusted life year or similar measure (as  
5 described in such section) by a medicaid managed  
6 care organization under this title (or a prepaid inpa-  
7 tient health plan or prepaid ambulatory health plan,  
8 as defined in section 438.2 of title 42, Code of Fed-  
9 eral Regulations (or any successor regulation), under  
10 a contract with the State) in the same manner as  
11 such provisions apply to the utilization of such a  
12 year or measure by a State under this title.”.

13           (2) CHIP.—Section 2102 of the Social Security  
14 Act (42 U.S.C. 1397bb) is amended by adding at  
15 the end the following new subsection:

16           “(e) PROHIBITION ON THE USE OF QUALITY-AD-  
17 JUSTED LIFE YEARS AND SIMILAR MEASURES.—A State  
18 child health plan shall provide for compliance with the re-  
19 quirements of section 1182(e) (relating to prohibiting the  
20 use of certain measures in coverage determinations, reim-  
21 bursement, and incentive programs).”.

22           (3) MEDICARE ADVANTAGE.—Section 1852 of  
23 the Social Security Act (42 U.S.C. 1395w–22) is  
24 amended by adding at the end the following new  
25 subsection:

1       “(o) PROHIBITION ON USE OF QUALITY-ADJUSTED  
2 LIFE YEARS.—The provisions of section 1182(e) shall  
3 apply to the utilization of a dollars-per-quality adjusted  
4 life year or similar measure (as described in such section)  
5 by an MA plan in the same manner as such provisions  
6 apply to the utilization of such a year or measure by the  
7 Secretary under this title.”.

8           (4) MEDICARE PART D.—Section 1860D–12 of  
9       the Social Security Act (42 U.S.C. 1395w–112) is  
10       amended by adding at the end the following new  
11       subsection:

12       “(h) PROHIBITION ON USE OF QUALITY-ADJUSTED  
13 LIFE YEARS.—The provisions of section 1182(e) shall  
14 apply to the utilization of a dollars-per-quality adjusted  
15 life year or similar measure (as described in such section)  
16 by a prescription drug plan in the same manner as such  
17 provisions apply to the utilization of such a year or meas-  
18 ure by the Secretary under this title.”.

19       (c) IMPLEMENTATION.—The amendments made by  
20 this section shall apply beginning on January 1, 2027.

21 **SEC. 3. PREVENTION AND PUBLIC HEALTH FUND.**

22       Section 4002(b) of the Patient Protection and Af-  
23 fordable Care Act (42 U.S.C. 300u–11) is amended by  
24 striking paragraphs (7), (8), and (9) and inserting the fol-  
25 lowing:

1           “(7) for each of fiscal years 2026 and 2027,  
2           \$1,102,000,000;

3           “(8) for each of fiscal years 2028 and 2029,  
4           \$1,327,000,000;

5           “(9) for each of fiscal years 2030 and 2031,  
6           \$1,526,000,000; and”.

7 **SEC. 4. REPORT.**

8           Not later than 1 year after the date of the enactment  
9 of this Act, and annually thereafter, the Comptroller Gen-  
10 eral of the United States shall submit to Congress a report  
11 on how quality-adjusted life years negatively impacts indi-  
12 viduals with intellectual and developmental disabilities and  
13 their access to care.

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