

119TH CONGRESS
2^D SESSION

H. R. 7686

To recognize the importance of clinical roles of locum tenens physicians,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2026

Mr. CARTER of Georgia introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committees on Energy and Commerce, Oversight and Government Reform, and House Administration, 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

A BILL

To recognize the importance of clinical roles of locum tenens
physicians, 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 “Rural and Underserved
5 Health Care Staffing Act”.

1 **SEC. 2. FEDERAL RECOGNITION OF LOCUM TENENS CLIN-**
2 **ICAL ROLES.**

3 (a) CLASSIFICATION OF LOCUM TENENS PHYSI-
4 CIANS.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 for the purposes of a Federal law or program de-
7 scribed in subsection (b), with respect to health serv-
8 ices performed by an individual who is a qualified
9 locum tenens physician or advanced care practi-
10 tioner—

11 (A) such individual shall not be considered
12 an employee of the entity on behalf of which the
13 services are performed, including any con-
14 tracting agency or payor;

15 (B) such entity shall not be considered an
16 employer of such individual; and

17 (C) any remuneration paid or received for
18 such services shall be treated as remuneration
19 for services performed by an independent con-
20 tractor.

21 (2) EXCEPTION FOR EXPRESS EMPLOYER-EM-
22 PLOYEE RELATIONSHIP.—Paragraph (1) shall not
23 apply with respect to any services for which an indi-
24 vidual and a health care facility (or a contracting
25 agency acting on behalf of a health care facility) ex-

1 pressly agree, in a written contract, to enter into an
2 employer-employee relationship.

3 (b) FEDERAL LAWS AND PROGRAMS DESCRIBED.—

4 The Federal laws and programs described in this sub-
5 section are the following:

6 (1) The Fair Labor Standards Act of 1938 (29
7 U.S.C. 201 et seq.).

8 (2) The National Labor Relations Act (29
9 U.S.C. 151 et seq.).

10 (3) Title VII of the Civil Rights Act of 1964
11 (42 U.S.C. 2000e et seq.).

12 (4) The Americans with Disabilities Act (42
13 U.S.C. 12101 et seq.).

14 (5) The Family and Medical Leave Act (29
15 U.S.C. 2601 et seq.).

16 (6) The Employee Retirement Income Security
17 Act of 1974 (29 U.S.C. 1001 et seq.).

18 (7) The Public Health Service Act (42 U.S.C.
19 201 et seq.).

20 (8) Any program administered by the Depart-
21 ment of Health and Human Services, to the extent
22 that such program requires a determination of
23 whether an individual is an employee of a health
24 care facility (or a contracting agency acting on be-

1 half of a health care facility) for program participa-
2 tion, certification, or compliance purposes.

3 (c) DEFINITIONS.—In this section:

4 (1) QUALIFIED LOCUM TENENS PHYSICIAN OR
5 ADVANCED CARE PRACTITIONER.—The term “quali-
6 fied locum tenens physician or advanced care practi-
7 tioner” means an individual who—

8 (A) provides temporary medical or clinical
9 services on a locum tenens basis at a single site
10 for a period not exceeding 1 continuous year;

11 (B) is—

12 (i) a doctor of medicine, osteopathy,
13 dental surgery, or dental medicine legally
14 authorized to practice in the State in
15 which the individual performs such serv-
16 ices;

17 (ii) a doctor of podiatric medicine or
18 optometry legally authorized to practice in
19 the State in which the individual performs
20 such services;

21 (iii) a physician, as defined in—

22 (I) section 1861(r) of the Social
23 Security Act (42 U.S.C. 1395x(r)); or

24 (II) section 8101(2) of title 5,
25 United States Code; or

1 (iv) a nurse practitioner, physician as-
2 sistant, or certified registered nurse anes-
3 thetist; and

4 (C) performs such services pursuant to a
5 written agreement between the individual and a
6 health care facility (or a contracting agency act-
7 ing on behalf of a health care facility).

8 (2) STATE.—The term “State” means each of
9 the several States, the District of Columbia, and the
10 territories and possessions of the United States.

11 (d) RULE OF CONSTRUCTION.—Nothing in this Act
12 shall be construed to—

13 (1) affect or preempt State laws governing pro-
14 fessional licensure or scope of practice;

15 (2) alter the application of the Internal Rev-
16 enue Code of 1986 (26 U.S.C. 1 et seq.), including
17 the imposition, collection, or calculation of taxes
18 under subtitle C of such Code (such as taxes under
19 the Federal Insurance Contributions Act or Federal
20 Unemployment Tax Act and related withholding) or
21 under chapter 2 of subtitle A of such Code (self-em-
22 ployment tax);

23 (3) alter the definition or treatment of the
24 terms “wages” or “self-employment income”, or the

1 calculation of benefits, under title II of the Social
2 Security Act (42 U.S.C. 401 et seq.);

3 (4) affect eligibility for, benefit computation
4 under, or contributions to any Federal or State un-
5 employment compensation program; or

6 (5) alter eligibility for participation or reim-
7 bursement under—

8 (A) the Medicare program under title
9 XVIII of the Social Security Act (42 U.S.C.
10 1395 et seq.);

11 (B) the Medicaid program under title XIX
12 of such Act (42 U.S.C. 1396 et seq.); or

13 (C) any other federally supported health
14 program.

15 (e) ADMINISTRATION.—This section shall be imple-
16 mented, as applicable, by the heads of the Federal depart-
17 ments and agencies responsible for administering the Fed-
18 eral laws and programs described in subsection (b). The
19 Secretary of Health and Human Services shall implement
20 this section with respect to the programs described in sub-
21 section (b)(8).

22 (f) EFFECTIVE DATE.—This section shall only apply
23 to services performed on or after the date of enactment
24 of this Act. Nothing in this section shall affect the inter-

1 pretation of any applicable law with respect to services
2 performed before such date of enactment.

3 (g) SEVERABILITY.—If any provision of this section,
4 or the application of such provision to any person or cir-
5 cumstance, is held to be unconstitutional, the remainder
6 of this section, and the application of the remaining provi-
7 sions, shall not be affected.

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