

119TH CONGRESS
2D SESSION **H. R. 10632**

To amend title XIX of the Social Security Act to require certain protections
for whistleblowers under the Medicaid program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2026

Mrs. MILLER-MEEKS (for herself, Mrs. CAMMACK, and Mrs. FISCHBACH) in-
troduced the following bill; which was referred to the Committee on En-
ergy and Commerce

A BILL

To amend title XIX of the Social Security Act to require
certain protections for whistleblowers under the Medicaid
program.

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 “Medicaid Whistle-
5 blower Protection Act”.

6 **SEC. 2. REQUIRING PROTECTIONS FOR WHISTLEBLOWERS**
7 **UNDER MEDICAID.**

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

1 (1) in subsection (a)—

2 (A) in paragraph (89), by striking “and”
3 at the end;

4 (B) in paragraph (90), by striking the pe-
5 riod at the end and inserting “; and”; and

6 (C) by inserting after paragraph (90) the
7 following new paragraph:

8 “(91) provide that, beginning January 1, 2028,
9 the State shall comply with the whistleblower protec-
10 tion requirements under subsection (zz).”; and

11 (2) by adding at the end the following new sub-
12 section:

13 “(zz) WHISTLEBLOWER PROTECTION REQUIRE-
14 MENTS.—

15 “(1) IN GENERAL.—For purposes of subsection
16 (a)(91), the whistleblower protection requirements
17 under this subsection are that the State shall pro-
18 vide assurances satisfactory to the Secretary that
19 such State has in effect laws that—

20 “(A) prohibit adverse employment actions
21 that are taken against a covered individual be-
22 cause such individual made a protected disclo-
23 sure; and

24 “(B) establish procedures under which an
25 individual who alleges that such an action was

1 taken against such individual may seek relief,
2 which shall include any applicable remedies de-
3 scribed in paragraph (2), through an adminis-
4 trative process and, in the case that such indi-
5 vidual disagrees with the outcome of such ad-
6 ministrative process, through judicial review.

7 “(2) REMEDIES DESCRIBED.—For purposes of
8 paragraph (1), the remedies described in this para-
9 graph are the following:

10 “(A) Reinstatement of employment at the
11 seniority status that the covered individual
12 would have if the adverse employment action
13 described in paragraph (1)(A) that was taken
14 with respect to such individual had not oc-
15 curred.

16 “(B) 2 times back pay, including interest
17 at a rate to be determined by the Secretary.

18 “(C) Compensation for special damages
19 sustained as a result of such adverse employ-
20 ment action, including litigation costs and rea-
21 sonable attorneys’ fees.

22 “(D) In the case that such adverse employ-
23 ment action was taken with malice or reckless
24 indifference to the rights of such covered indi-
25 vidual under this subsection, punitive damages.

1 “(3) DEFINITIONS.—In this subsection—

2 “(A) ADVERSE EMPLOYMENT ACTION.—

3 The term ‘adverse employment action’ means,
4 with respect to the terms and conditions of em-
5 ployment of an individual, a discharge, demo-
6 tion, suspension, threat, incidence of harass-
7 ment, or other act of discrimination directed at
8 such individual.

9 “(B) COVERED ENTITY.—The term ‘cov-
10 ered entity’ means—

11 “(i) a supervisor;

12 “(ii) a State Medicaid agency;

13 “(iii) a State or Federal law enforce-
14 ment agency;

15 “(iv) the Department of Health and
16 Human Services;

17 “(v) the Office of the Inspector Gen-
18 eral of the Department of Health and
19 Human Services;

20 “(vi) Congress; or

21 “(vii) any other entity designated by
22 the Secretary.

23 “(C) COVERED INDIVIDUAL.—The term
24 ‘covered individual’ means an individual who is
25 engaged in the administration, management,

1 oversight, or delivery of items or services under
2 a State plan (or waiver of such plan) and is an
3 employee, contractor, subcontractor, or agent of
4 such State or a political subdivision of such
5 State.

6 “(D) PROTECTED DISCLOSURE.—The term
7 ‘protected disclosure’ means a disclosure of in-
8 formation by a covered individual to a covered
9 entity that such individual reasonably believes
10 evidences, with respect to a State Medicaid pro-
11 gram—

12 “(i) a violation of an applicable law,
13 rule, or regulation;

14 “(ii) fraud, waste, or abuse involving
15 Federal or State funds;

16 “(iii) gross mismanagement;

17 “(iv) an abuse of authority; or

18 “(v) a substantial and specific danger
19 to public health or safety.”.

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