

115TH CONGRESS  
1ST SESSION

# H. R. 2224

To amend title XVIII of the Social Security Act to apply budget neutrality on a State-specific basis in the calculation of the Medicare hospital wage index floor for non-rural areas.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2017

Mr. SMITH of Nebraska (for himself, Mr. KELLY of Pennsylvania, Mr. LONG, Mr. BARR, and Mr. BYRNE) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title XVIII of the Social Security Act to apply budget neutrality on a State-specific basis in the calculation of the Medicare hospital wage index floor for non-rural areas.

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 “Repeal of the  
5       Obamacare Bay State Boondoggle Act”.

1 **SEC. 2. APPLYING BUDGET NEUTRALITY ON A STATE-SPE-**  
2 **CIFIC BASIS IN THE CALCULATION OF THE**  
3 **MEDICARE HOSPITAL WAGE INDEX FLOOR**  
4 **FOR NON-RURAL AREAS.**

5 (a) IN GENERAL.—Section 1886(d)(3)(E) of the So-  
6 cial Security Act (42 U.S.C. 1395ww(d)(3)(E)) is amend-  
7 ed by adding at the end the following new clause:

8 “(iv) APPLICATION OF BUDGET NEU-  
9 TRALITY RELATING TO FLOOR ON WAGE  
10 AREA INDEX IN NON-RURAL AREAS.—

11 “(I) APPLICATION ON A STATE-  
12 SPECIFIC BASIS.—In the case of dis-  
13 charges occurring on or after April 1,  
14 2017, for purposes of applying section  
15 4410(b) of the Balanced Budget Act  
16 of 1997, the Secretary shall admin-  
17 ister such section 4410(b) and para-  
18 graph (e) of section 412.64 of title 42,  
19 Code of Federal Regulations, as if  
20 paragraph (e)(4)(ii) of such section  
21 412.64, as in effect on the day before  
22 the date of the enactment of this  
23 clause, had never applied and by using  
24 the methodology promulgated in the  
25 Federal Register on August 19, 2008  
26 (73 Fed. Reg. 48570) (applied as if

1 such methodology had been fully im-  
2 plemented for fiscal year 2011 using a  
3 100 percent State-specific adjustment  
4 to the area wage index).

5 “(II) CONSTRUCTION.—Nothing  
6 in subclause (I) shall be construed as  
7 preventing the Secretary, for dis-  
8 charges occurring on or after April 1,  
9 2017, from modifying the regulations  
10 under such section 412.64 to be con-  
11 sistent with subclause (I) in carrying  
12 out the budget neutrality require-  
13 ments of such section 4410(b).”.

14 (b) CONFORMING AMENDMENT TERMINATING APPLI-  
15 CATION OF BUDGET NEUTRALITY ON A NATIONWIDE  
16 BASIS.—Section 3141 of the Patient Protection and Af-  
17 fordable Care Act (42 U.S.C. 1395ww note) is amended  
18 by inserting “and before April 1, 2017,” after “2010,”.

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