

113TH CONGRESS
1ST SESSION

H. R. 3245

To amend title XVIII of the Social Security Act to establish a maximum threshold for episode reimbursement to skilled home health agencies under Medicare.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2013

Mr. MATHESON (for himself and Mr. GUTHRIE) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 amend title XVIII of the Social Security Act to establish a maximum threshold for episode reimbursement to skilled home health agencies under Medicare.

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 “Medicare Home Health
5 Fraud Reduction Act”.

1 **SEC. 2. ESTABLISHMENT OF MAXIMUM THRESHOLD FOR**
2 **EPISODE REIMBURSEMENT TO SKILLED**
3 **HOME HEALTH AGENCIES UNDER MEDICARE.**

4 Section 1895(b) of the Social Security Act (42 U.S.C.
5 1395fff(b)) is amended by adding at the end the following
6 new paragraph:

7 “(7) EPISODE UTILIZATION RATE.—

8 “(A) PAYMENT LIMITATION.—For 2014
9 and each subsequent year, payment may not be
10 made to a skilled home health agency under
11 this section for an episode of care to the extent
12 that such episode exceeds the applicable episode
13 utilization limit established under subparagraph
14 (B) for the agency for the year.

15 “(B) APPLICABLE EPISODE UTILIZATION
16 LIMIT.—

17 “(i) IN GENERAL.—For 2014 and
18 each subsequent year, the Secretary shall
19 establish an episode utilization limit for a
20 skilled home health agency that is equal to
21 the product of—

22 “(I) in the case of a skilled home
23 health agency located in—

24 “(aa) a rural area, 3.3 epi-
25 sodes; and

1 “(bb) in an area not de-
2 scribed in item (aa), 2.7 episodes;
3 and

4 “(II) the total number of Medi-
5 care beneficiaries for the skilled home
6 health agency (as defined in clause
7 (iii)).

8 “(ii) EPISODE DEFINED.—For pur-
9 poses of this paragraph, the term ‘episode’
10 has the meaning given such term for pur-
11 poses of section 484.205 of title 42, Code
12 of Federal Regulations (as in effect on Oc-
13 tober 1, 2011) and includes partial epi-
14 sodes for which a partial episode payment
15 is made pursuant to such section to the ex-
16 tent such partial episode is a percentage of
17 a full episode.

18 “(iii) TOTAL NUMBER OF MEDICARE
19 BENEFICIARIES DEFINED.—

20 “(I) IN GENERAL.—For purposes
21 of clause (i)(II), the term ‘total num-
22 ber of Medicare beneficiaries’ means,
23 with respect to a skilled home health
24 agency and year, the total number of
25 unduplicated individuals who were

1 furnished home health services under
2 this title in the year by the agency.

3 “(II) SPECIAL RULE.—In calcu-
4 lating the total number of Medicare
5 beneficiaries under subclause (I), in
6 any case where an individual is fur-
7 nished skilled home health care serv-
8 ices from more than one agency, the
9 number of such individuals being
10 counted toward the applicable episode
11 utilization limit for each such agency
12 shall be proportionally credited in an
13 amount equal to the percentage of the
14 total number of episodes provided by
15 the agency.”.

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