

113TH CONGRESS  
1ST SESSION

# H. R. 3444

To amend title XVIII of the Social Security Act to provide flexibility in the manner in which beds are counted for purposes of determining whether a hospital may be designated as a critical access hospital under the Medicare program.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2013

Mr. WALDEN (for himself and Mr. KIND) introduced the following bill; which was referred to the Committee on Ways and Means

---

## A BILL

To amend title XVIII of the Social Security Act to provide flexibility in the manner in which beds are counted for purposes of determining whether a hospital may be designated as a critical access hospital under the Medicare 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 “Critical Access Hos-  
5 pital Flexibility Act of 2013”.

1 **SEC. 2. FLEXIBILITY IN THE MANNER IN WHICH BEDS ARE**  
2 **COUNTED FOR PURPOSES OF DETERMINING**  
3 **WHETHER A HOSPITAL MAY BE DESIGNATED**  
4 **AS A CRITICAL ACCESS HOSPITAL UNDER**  
5 **THE MEDICARE PROGRAM.**

6 (a) IN GENERAL.—Section 1820(c)(2) of the Social  
7 Security Act (42 U.S.C. 1395i–4(c)(2)) is amended—

8 (1) in subparagraph (B)(iii), by inserting “sub-  
9 ject to subparagraph (F),” before “provides not  
10 more”; and

11 (2) by adding at the end the following:

12 “(F) ALTERNATIVE BED NUMBER DETER-  
13 MINATION.—

14 “(i) 20-BED ALTERNATIVE.—In the  
15 case of a facility that was designated as a  
16 critical access hospital before the date of  
17 the enactment of the Critical Access Hos-  
18 pital Flexibility Act of 2013, such facility  
19 may satisfy the requirement under sub-  
20 paragraph (B)(iii) by providing inpatient  
21 care for a period that does not exceed, as  
22 determined on an annual, average basis,  
23 96 hours per patient and by—

24 “(I) providing not more than 25  
25 acute care inpatient beds (meeting the

1 standards established by the Secretary  
2 under such subparagraph); or

3 “(II) providing not more than 20  
4 acute care inpatient beds (as deter-  
5 mined on an annual, average basis  
6 and meeting any applicable standards  
7 established by the Secretary under  
8 such subparagraph which do not con-  
9 flict with this subclause).

10 “(ii) OCCUPIED BEDS ONLY.—In de-  
11 termining the number of beds for purposes  
12 of clause (i) and subparagraph (B)(iii),  
13 only beds that are occupied shall be count-  
14 ed.”.

15 (b) EFFECTIVE DATE.—The amendments made by  
16 this section take effect on January 1, 2014.

○