

118TH CONGRESS
1ST SESSION

H. R. 5256

To amend title XVIII of the Social Security Act to provide payment under part A of the Medicare Program on a reasonable cost basis for anesthesia services furnished by an anesthesiologist in certain rural hospitals in the same manner as payments are provided for anesthesia services furnished by anesthesiologist assistants and certified registered nurse anesthetists in such hospitals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 2023

Mr. MOOLENAAR (for himself and Mr. HUFFMAN) 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 payment under part A of the Medicare Program on a reasonable cost basis for anesthesia services furnished by an anesthesiologist in certain rural hospitals in the same manner as payments are provided for anesthesia services furnished by anesthesiologist assistants and certified registered nurse anesthetists in such hospitals, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicare Access to
3 Rural Anesthesiology Act of 2023”.

4 **SEC. 2. MEDICARE PART A PAYMENT FOR ANESTHESIOLOGIST SERVICES IN CERTAIN RURAL HOSPITALS BASED ON CRNA PASS-THROUGH RULES.**

8 (a) IN GENERAL.—Section 1814 of the Social Security Act (42 U.S.C. 1395f) is amended by adding at the
9 end the following new subsection:
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11 “Anesthesiologist Services Provided in Certain Rural
12 Hospitals

13 “(m)(1) Notwithstanding any other provision of this
14 title, coverage and payment shall be provided under this
15 part for physicians’ services that are anesthesia services
16 furnished by a physician who is an anesthesiologist in a
17 rural hospital described in paragraph (3) in the same
18 manner as payment is made under the exception provided
19 in section 9320(k) of the Omnibus Budget Reconciliation
20 Act of 1986, as amended by section 6132 of the Omnibus
21 Budget Reconciliation Act of 1989 (42 U.S.C. 1395k
22 note) (relating to payment on a reasonable cost, pass-
23 through basis), for certified registered nurse anesthetist
24 services furnished by a certified registered nurse anes-
25 thetist in a hospital described in such section.

1 “(2) No payment shall be made under any other pro-
2 vision of this title for physicians’ services for which pay-
3 ment is made under this subsection.

4 “(3) A rural hospital described in this paragraph is
5 a hospital described in section 9320(k) of the Omnibus
6 Budget Reconciliation Act of 1986, as so amended (42
7 U.S.C. 1395k note), except that—

8 “(A) any reference in such section to a ‘cer-
9 tified registered nurse anesthetist’ or ‘anesthetist’ is
10 deemed a reference to a ‘physician who is an anes-
11 thesiologist’ or ‘anesthesiologist’, respectively; and

12 “(B) any reference to ‘January 1, 1988’ or
13 ‘1987’ is deemed a reference to such date and year
14 as the Secretary shall specify.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall apply to services furnished during cost
17 reporting periods beginning on or after the date of the
18 enactment of this Act.

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