

114TH CONGRESS
2D SESSION

H. R. 5614

To amend title XVIII of the Social Security Act to provide for a change
in Medicare classification for certain hospitals.

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2016

Mr. CROWLEY 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
for a change in Medicare classification for certain hospitals.

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. CHANGE IN MEDICARE CLASSIFICATION FOR**
4 **CERTAIN HOSPITALS.**

5 (a) IN GENERAL.—Subsection (d)(1)(B) of section
6 1886 of the Social Security Act (42 U.S.C. 1395ww) is
7 amended—

8 (1) in clause (iv)—

9 (A) in subclause (I)—

1 (i) by striking “(iv)(I)” and inserting
2 “(iv)”; and

3 (ii) by striking “or” at the end; and
4 (B) in subclause (II)—

5 (i) by striking “, or” at the end and
6 inserting a semicolon; and

7 (ii) by redesignating such subclause as
8 clause (vi) and by moving it to immediately
9 follow clause (v); and

10 (iii) in clause (v), by striking the
11 semicolon at the end and inserting “, or”.

12 (b) CONFORMING PAYMENT REFERENCES.—The sec-
13 ond sentence of subsection (d)(1)(B) of such section is
14 amended—

15 (1) by inserting “(as in effect as of such date)”
16 after “clause (iv)”; and

17 (2) by inserting “(or, in the case of a hospital
18 described in clause (iv)(II), as so in effect, shall be
19 classified under clause (vi) on and after the effective
20 date of such clause (vi) and for cost-reporting peri-
21 ods beginning on or after January 1, 2015, shall not
22 be subject to subsection (m) as of the date of such
23 classification)” after “so classified”.

24 (c) APPLICATION.—

1 (1) IN GENERAL.—For cost-reporting periods
2 beginning on or after January 1, 2015, in the case
3 of an applicable hospital (as defined in paragraph
4 (3)), the following shall apply:

5 (A) Payment for inpatient operating costs
6 shall be made on the TEFRA basis in the man-
7 ner provided in section 412.526(c) of title 42,
8 Code of Federal Regulations (as in effect on
9 January 1, 2015).

10 (B) Payment for capital costs shall be
11 made in the manner provided by section
12 412.526(c)(4) of title 42, Code of Federal Reg-
13 ulations (as in effect on such date).

14 (C) Claims for payment for Medicare bene-
15 ficiaries who are discharged on or after January
16 1, 2015, shall be processed as claims which are
17 paid on a TEFRA payment basis as described
18 in section 412.526(c) of title 42, Code of Fed-
19 eral Regulations (as in effect on such date).

20 (2) ASSIGNMENT OF NEW PROVIDER NUM-
21 BER.—The Secretary of Health and Human Services
22 shall assign a new provider number for an applicable
23 hospital (as defined in paragraph (3)), effective for
24 its first cost-reporting period beginning on or after
25 the date of enactment of this Act.

1 (3) APPLICABLE HOSPITAL DEFINED.—In this
2 subsection, the term “applicable hospital” means a
3 hospital that is classified under clause (iv)(II) of sec-
4 tion 1886(d)(1)(B) of the Social Security Act (42
5 U.S.C. 1395ww(d)(1)(B)) on the day before the date
6 of the enactment of this Act and which is classified
7 under clause (vi) of such section, as added by sub-
8 section (a), on or after such date of enactment.

9 (d) CONFORMING TECHNICAL AMENDMENT.—Sec-
10 tion 1899B(a)(2)(A)(iv) of the Social Security Act (42
11 U.S.C. 1395lll(a)(2)(A)(iv)) is amended by striking
12 “1886(d)(1)(B)(iv)(II)” and inserting
13 “1886(d)(1)(B)(vi)”.

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