

114TH CONGRESS
2D SESSION

H. R. 5688

To amend title XVIII of the Social Security Act to provide for a temporary exception to the application of the Medicare long-term care hospital site neutral provisions for certain spinal cord specialty hospitals.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2016

Mr. TOM PRICE of Georgia (for himself, Ms. DEGETTE, Mr. COFFMAN, and Mr. LEWIS) 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 temporary exception to the application of the Medicare long-term care hospital site neutral provisions for certain spinal cord specialty 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. TEMPORARY EXCEPTION TO THE APPLICATION**
4 **OF THE MEDICARE LTCH SITE NEUTRAL PRO-**
5 **VISIONS FOR CERTAIN SPINAL CORD SPE-**
6 **CIALTY HOSPITALS.**

7 (a) EXCEPTION.—Section 1886(m)(6) of the Social
8 Security Act (42 U.S.C. 1395ww(m)(6)) is amended—

1 (1) in subparagraph (A)(i) by striking “and
2 (E)” and inserting “, (E), and (F)”; and

3 (2) by adding at the end the following new sub-
4 paragraph:

5 “(F) TEMPORARY EXCEPTION FOR CER-
6 TAIN SPINAL CORD SPECIALTY HOSPITALS.—
7 For discharges in cost reporting periods begin-
8 ning during fiscal years 2018 through 2023,
9 subparagraph (A)(i) shall not apply (and pay-
10 ment shall be made to a long-term care hospital
11 without regard to this paragraph) if such dis-
12 charge is from a long-term care hospital that
13 meets each of the following requirements:

14 “(i) NOT-FOR-PROFIT.—The long-
15 term care hospital is a not-for-profit long-
16 term care hospital June 1, 2016.

17 “(ii) PRIMARILY PROVIDING TREAT-
18 MENT FOR CATASTROPHIC SPINAL CORD
19 OR ACQUIRED BRAIN INJURIES OR OTHER
20 PARALYZING NEUROMUSCULAR CONDI-
21 TIONS.—At least 50 percent of the dis-
22 charges in 2013 from the long-term care
23 hospital were classified under MS–LTCH–
24 DRGs 28, 29, 52, 57, 551, 573, or 963.

1 “(iii) SIGNIFICANT OUT-OF-STATE AD-
2 MISSIONS.—The long-term care hospital
3 admitted inpatients (including both indi-
4 viduals entitled to, or enrolled for benefits
5 under this title and individuals not so enti-
6 tled or enrolled) during fiscal year 2014
7 from at least 20 of the 50 States, deter-
8 mined based on such data, submitted by
9 the hospital to the Secretary, as the Sec-
10 retary may require. Notwithstanding any
11 other provision of law, the Secretary may
12 implement the previous sentence by pro-
13 gram instruction or otherwise.”.

14 (b) STUDY AND REPORT ON THE STATUS AND VIA-
15 BILITY OF CERTAIN SPINAL CORD SPECIALTY LONG-
16 TERM CARE HOSPITALS.—

17 (1) STUDY.—The Comptroller General of the
18 United States shall conduct a study on long-term
19 care hospitals described in section 1886(m)(6)(F) of
20 the Social Security Act, as added by subsection (a).
21 Such report shall include an analysis of the fol-
22 lowing:

23 (A) The impact on such hospitals of the
24 classification and facility licensure by State
25 agencies of such hospitals.

1 (B) The Medicare payment rates for such
2 hospitals.

3 (C) Data on the number and health care
4 needs of Medicare beneficiaries who have been
5 diagnosed with catastrophic spinal cord or ac-
6 quired brain injuries or other paralyzing neuro-
7 muscular conditions (as described within the
8 discharge classifications specified in clause (ii)
9 of such section) who are receiving services from
10 such hospitals.

11 (2) REPORT.—Not later than June 30, 2022,
12 the Comptroller General shall submit to Congress a
13 report on the study conducted under paragraph (1),
14 together with recommendations for such legislation
15 and administrative action as the Comptroller Gen-
16 eral determines appropriate.

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