

114TH CONGRESS
2D SESSION

H. R. 5767

To amend title XVIII of the Social Security Act to permit hospitals in all-urban States to be considered Medicare dependent hospitals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2016

Mr. MACARTHUR (for himself, Mr. CARNEY, and Mr. PASCRELL) 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 permit hospitals in all-urban States to be considered Medicare dependent 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness for Our Hos-
5 pitals Act of 2016”.

1 **SEC. 2. PERMITTING HOSPITALS IN ALL-URBAN STATES TO**
2 **BE CONSIDERED MEDICARE DEPENDENT**
3 **HOSPITALS.**

4 (a) IN GENERAL.—Section 1886(d)(5)(G)(iv)(I) of
5 the Social Security Act (42 U.S.C.
6 1395ww(d)(5)(G)(iv)(I)) is amended to read as follows:

7 “(I) that—

8 “(aa) is located in a rural
9 area; or

10 “(bb) for discharges occur-
11 ring on or after January 1, 2011,
12 is located in a State with no
13 rural area (as defined in para-
14 graph (2)(D)) and satisfies any
15 of the criteria in subclause (I),
16 (II), (III), or (IV) of paragraph
17 (8)(E)(ii),”.

18 (b) PROCESS FOR RECALCULATING PAYMENTS.—Not
19 later than 120 days after the date of the enactment of
20 this Act, the Secretary of Health and Human Services
21 shall establish and implement a process under which the
22 Secretary shall reimburse hospitals impacted by the
23 amendment made by subsection (a) for any underpay-
24 ments under title XVIII of the Social Security Act that
25 are a result of the implementation of such amendment.