

114TH CONGRESS  
2D SESSION

# H. R. 6404

To permit occupational therapists to conduct the initial assessment visit under a Medicare home health plan of care for certain rehabilitation cases.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2016

Mr. BOUSTANY (for himself and Mr. DOGGETT) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To permit occupational therapists to conduct the initial assessment visit under a Medicare home health plan of care for certain rehabilitation cases.

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 “Medicare Home Health  
5 Flexibility Act of 2016”.

1 **SEC. 2. PERMITTING OCCUPATIONAL THERAPISTS TO CON-**  
2 **DUCT THE INITIAL ASSESSMENT VISIT**  
3 **UNDER A MEDICARE HOME HEALTH PLAN OF**  
4 **CARE FOR CERTAIN REHABILITATION CASES.**

5 (a) IN GENERAL.—Notwithstanding section  
6 484.55(a)(2) of title 42, Code of Federal Regulations, or  
7 any other provision of law, an occupational therapist may  
8 conduct the initial assessment visit for an individual who  
9 is eligible for home health services under title XVIII of  
10 the Social Security Act if the referral order by the physi-  
11 cian—

- 12 (1) does not include skilled nursing care;
- 13 (2) includes occupation therapy; and
- 14 (3) includes physical therapy or speech lan-  
15 guage pathology.

16 (b) RULE OF CONSTRUCTION.—Nothing in sub-  
17 section (a) shall be construed to provide for initial eligi-  
18 bility for coverage of home health services under title  
19 XVIII of the Social Security Act solely on the basis of  
20 a need for occupational therapy.

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