

115TH CONGRESS  
1ST SESSION

# H. R. 741

To amend title XVIII of the Social Security Act to provide for a permanent extension of the enforcement instruction on Medicare supervision requirements for outpatient therapeutic services in critical access and small rural hospitals.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2017

Ms. JENKINS of Kansas (for herself, Mr. LOEBSACK, and Mr. SMITH of Nebraska) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 amend title XVIII of the Social Security Act to provide for a permanent extension of the enforcement instruction on Medicare supervision requirements for outpatient therapeutic services in critical access and small rural 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. SHORT TITLE.**

4 This Act may be cited as the “Rural Hospital Regu-  
5 latory Relief Act of 2017”.

1 **SEC. 2. PERMANENT EXTENSION OF ENFORCEMENT IN-**  
2 **STRUCTION ON MEDICARE SUPERVISION RE-**  
3 **QUIREMENTS FOR OUTPATIENT THERA-**  
4 **PEUTIC SERVICES IN CRITICAL ACCESS AND**  
5 **SMALL RURAL HOSPITALS.**

6 (a) IN GENERAL.—Section 1834 of the Social Secu-  
7 rity Act (42 U.S.C. 1395m) is amended by adding at the  
8 end the following new subsection:

9 “(t) PERMANENT EXTENSION OF ENFORCEMENT IN-  
10 STRUCTION ON SUPERVISION REQUIREMENTS FOR OUT-  
11 PATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS  
12 AND SMALL RURAL HOSPITALS.—On and after January  
13 1, 2017, the Secretary shall continue to apply the enforce-  
14 ment instruction described in the notice of the Centers for  
15 Medicare & Medicaid Services entitled ‘Enforcement In-  
16 struction on Supervision Requirements for Outpatient  
17 Therapeutic Services in Critical Access and Small Rural  
18 Hospitals for CY 2013’, dated November 1, 2012 (pro-  
19 viding for an exception to the restatement and clarification  
20 under the final rulemaking changes to the Medicare hos-  
21 pital outpatient prospective payment system and calendar  
22 year 2009 payment rates (published in the Federal Reg-  
23 ister on November 18, 2008, 73 Fed. Reg. 68702 through  
24 68704) with respect to requirements for direct supervision  
25 by physicians for therapeutic hospital outpatient services),  
26 as previously extended under section 1 of Public Law 113–

1 198, as amended by section 1 of Public Law 114–112 and  
2 section 16004(a) of the 21st Century Cures Act (Public  
3 Law 114–255).”.

4 (b) REPEAL OF REQUIRED REPORT.—Section 16004  
5 of the 21st Century Cures Act (Public Law 114–255) is  
6 amended by striking subsection (b).

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