

115TH CONGRESS
1ST SESSION

S. 1729

To amend title XVIII of the Social Security Act to provide for independent accreditation for dialysis facilities and assurances of high quality surveys.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2017

Mr. ROBERTS (for himself, Mr. WARNER, Mr. CRAPO, Mr. CARDIN, and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to provide for independent accreditation for dialysis facilities and assurances of high quality surveys.

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 “Dialysis Access Im-
5 provement Act of 2017”.

6 **SEC. 2. INDEPENDENT ACCREDITATION FOR DIALYSIS FA-**
7 **CILITIES AND ASSURANCE OF HIGH QUALITY**
8 **SURVEYS.**

9 (a) ACCREDITATION AND SURVEYS.—

1 (1) IN GENERAL.—Section 1865 of the Social
2 Security Act (42 U.S.C. 1395bb) is amended—

3 (A) in subsection (a)—

4 (i) in paragraph (1), in the matter
5 preceding subparagraph (A), by striking
6 “or the conditions and requirements under
7 section 1881(b)”;

8 (ii) in paragraph (4), by inserting
9 “(including a renal dialysis facility)” after
10 “facility”;

11 (B) by adding at the end the following new
12 subsection:

13 “(e) With respect to an accreditation body that has
14 received approval from the Secretary under subsection
15 (a)(3)(A) for accreditation of provider entities that are re-
16 quired to meet the conditions and requirements under sec-
17 tion 1881(b), in addition to review and oversight authori-
18 ties otherwise applicable under this title, the Secretary
19 shall (as the Secretary determines appropriate) conduct,
20 with respect to such accreditation body and provider enti-
21 ties, any or all of the following as frequently as is other-
22 wise required to be conducted under this title with respect
23 to other accreditation bodies or other provider entities:

24 “(1) Validation surveys referred to in sub-
25 section (d).

1 “(2) Accreditation program reviews (as defined
2 in section 488.8(c) of title 42 of the Code of Federal
3 Regulations, or a successor regulation).

4 “(3) Performance reviews (as defined in section
5 488.8(a) of title 42 of the Code of Federal Regula-
6 tions, or a successor regulation).”.

7 (2) TIMING FOR ACCEPTANCE OF REQUESTS
8 FROM ACCREDITATION ORGANIZATIONS.—Not later
9 than 90 days after the date of enactment of this
10 Act, the Secretary of Health and Human Services
11 shall begin accepting requests from national accredi-
12 tation bodies for a finding described in section
13 1865(a)(3)(A) of the Social Security Act (42 U.S.C.
14 1395bb(a)(3)(A)) for purposes of accrediting pro-
15 vider entities that are required to meet the condi-
16 tions and requirements under section 1881(b) of
17 such Act (42 U.S.C. 1395rr(b)).

18 (b) REQUIREMENT FOR TIMING OF SURVEYS OF
19 NEW DIALYSIS FACILITIES.—Section 1881(b)(1) of the
20 Social Security Act (42 U.S.C. 1395rr(b)(1)) is amended
21 by adding at the end the following new sentence: “Begin-
22 ning 180 days after the date of the enactment of this sen-
23 tence, an initial survey of a provider of services or a renal
24 dialysis facility to determine if the conditions and require-
25 ments under this paragraph are met shall be initiated not

1 later than 90 days after such date on which both the pro-
2 vider enrollment form (without regard to whether such
3 form is submitted prior to or after such date of enactment)
4 has been determined by the Secretary to be complete and
5 the provider's enrollment status indicates approval is
6 pending the results of such survey.".

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