

117TH CONGRESS  
1ST SESSION

# H. R. 5536

To amend title XVIII of the Social Security Act to revise certain payment rules for outpatient physical therapy and outpatient occupational therapy furnished in rural areas and medically underserved areas, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2021

Mr. RUSH (for himself and Mr. SMITH of Missouri) 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 revise certain payment rules for outpatient physical therapy and outpatient occupational therapy furnished in rural areas and medically underserved areas, 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 “Stabilizing Medicare  
5 Access to Rehabilitation and Therapy Act” or “SMART  
6 Act”.

1 **SEC. 2. REVISIONS TO OUTPATIENT PHYSICAL THERAPY**  
2 **AND OUTPATIENT OCCUPATIONAL THERAPY.**

3 (a) PRECLUSION OF APPLICATION TO SERVICES  
4 FURNISHED IN RURAL AREAS AND MEDICALLY UNDER-  
5 SERVED AREAS.—Section 1834(v)(1) of the Social Secu-  
6 rity Act (42 U.S.C. 1395m(v)(1)) is amended—

7 (1) by striking “January 1, 2022” and insert-  
8 ing “January 1, 2023”; and

9 (2) by inserting “apply to services furnished in  
10 a rural area (as defined in section 1886(d)(2)(D) or  
11 a medically underserved area (as designated pursu-  
12 ant to section 330(b)(3)(A) of the Public Health  
13 Service Act) or” before “change applicable require-  
14 ments”.

15 (b) LIMITATION OF SUPERVISION REQUIREMENTS.—  
16 Section 1861(p) of the Social Security Act, in the first  
17 sentence of the flush left matter at the end, is amended  
18 by inserting “, but in no case may those conditions impose  
19 a supervision requirement that exceed any such require-  
20 ment under State law” after “as the Secretary may find  
21 necessary”.

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