To amend title XVIII of the Social Security Act to provide a waiver of the cap on annual payments for nursing and allied health education payments.

**IN THE SENATE OF THE UNITED STATES**

**MAY 11, 2021**

Mr. BROWN (for himself, Mrs. CAPITO, Mr. MENENDEZ, Mr. PORTMAN, and Ms. DUCKWORTH) 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 a waiver of the cap on annual payments for nursing and allied health education payments.

1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

2. **SECTION 1. SHORT TITLE.**

3. This Act may be cited as the “Technical Reset to Advance the Instruction of Nurses Act” or the “TRAIN Act”.
SEC. 2. WAIVER OF CAP ON ANNUAL PAYMENTS FOR NURSING AND ALLIED HEALTH EDUCATION PAYMENTS.

(a) IN GENERAL.—Section 1886(l)(2)(B) of the Social Security Act (42 U.S.C. 1395ww(l)(2)(B)) is amended—

(1) by striking “PAYMENTS.—Such ratio” and inserting “PAYMENTS.—

“(i) IN GENERAL.—Subject to clause (ii), such ratio”; and

(2) by adding at the end the following new clause:

“(ii) EXCEPTION TO ANNUAL LIMITATION FOR EACH OF 2010 THROUGH 2019.—
For each of 2010 through 2019, the limitation under clause (i) on the total amount of additional payments for nursing and allied health education to be distributed to hospitals under this subsection for portions of cost reporting periods occurring in the year shall not apply to such payments made in such year.”.

(b) NO AFFECT ON PAYMENTS FOR DIRECT GRADUATE MEDICAL EDUCATION.—Section 1886(h)(3)(D)(iii) of the Social Security Act (42 U.S.C. 1395ww(h)(3)(D)(iii)) is amended by adding at the end
the following sentence: “In applying the preceding sentence for each of 2010 through 2019, the Secretary shall not take into account any increase in the total amount of such additional payment amounts for such nursing and allied health education for portions of cost reporting periods occurring in the year pursuant to the application of paragraph (2)(B)(ii) of such subsection.”.

(c) RETROACTIVE APPLICATION.—The amendments made by this section shall apply to payments made for portions of cost reporting periods occurring in 2010 and subsequent years.