

106TH CONGRESS  
1ST SESSION

# H. R. 2246

To amend the Balanced Budget Act of 1997 to prohibit the Secretary of Health and Human Services to require the collection of data from home health agencies furnishing services under the Medicare Program under the OASIS data collection program from non-Medicare patients, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1999

Mr. RYUN of Kansas (for himself, Mr. MORAN of Kansas, Mr. TIAHRT, Mr. NETHERCUTT, Mr. STEARNS, Mr. HOEKSTRA, Mr. RAHALL, Mr. HOSTETTLER, Mr. PETERSON of Pennsylvania, Ms. MILLENDER-McDONALD, Mr. KOLBE, Mr. PAUL, Mrs. MYRICK, Mr. BARRETT of Nebraska, and Mr. MARKEY) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on 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 amend the Balanced Budget Act of 1997 to prohibit the Secretary of Health and Human Services to require the collection of data from home health agencies furnishing services under the Medicare Program under the OASIS data collection program from non-Medicare patients, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Medicare Home Health  
3 Care Relief Act of 1999”.

4 **SEC. 2. LIMITATION ON OASIS DATA COLLECTION TO MEDI-**  
5 **CARE PATIENT DATA.**

6       (a) IN GENERAL.—Effective as if included in the en-  
7 actment of the Balanced Budget Act of 1997 (Public Law  
8 105–33), section 4602(e) of such Act (42 U.S.C. 1395fff  
9 note) is amended by adding at the end the following new  
10 sentence: “Notwithstanding any provision of section 1891  
11 of the Social Security Act (42 U.S.C. 1395bbb) to the con-  
12 trary, the Secretary may only require the submission of  
13 additional information under this subsection with respect  
14 to individuals who are entitled to benefits under part A,  
15 or enrolled under part B, or both, of title XVIII of such  
16 Act.”.

17       (b) REPORT TO CONGRESS.—By not later than Octo-  
18 ber 1, 2001, the Secretary of Health and Human Services  
19 shall submit to Congress a report on the collection of data  
20 from home health agencies on patients of the agencies that  
21 includes the following:

22               (1) Recommendations for such legislative and  
23 administrative actions that the Secretary determines  
24 is appropriate with respect to the collection of infor-  
25 mation by the Secretary from medicare home health

1 agencies on patients of such agencies that are not  
2 medicare beneficiaries.

3 (2) A determination of whether the integrity of  
4 data collected pursuant to the Outcome and Assess-  
5 ment Information Set (OASIS) is affected by the  
6 personal nature of the questions posed by reason of  
7 such set.

8 (3) With respect to the comprehensive assess-  
9 ment of patients, a determination of whether the in-  
10 tegrity of the data collected would be improved by  
11 providing additional time for the completion of the  
12 comprehensive assessment and the update of the  
13 comprehensive assessment.

14 (c) DEFINITIONS.—In this section:

15 (1) COMPREHENSIVE ASSESSMENT OF PA-  
16 TIENTS.—The term “comprehensive assessment of  
17 patients” means the rule published by the Health  
18 Care Financing Administration in the Federal Reg-  
19 ister on January 25, 1999 (64 FR 3784), that re-  
20 quires, as a condition of participation in the medi-  
21 care program, a home health agency to provide a pa-  
22 tient-specific comprehensive assessment that accu-  
23 rately reflects the patient’s current status and that  
24 incorporates the Outcome and Assessment Informa-

tion Set (OASIS), under section 484.55 of title 42 of the Code of Federal Regulations.

(2) COMPLETION OF THE COMPREHENSIVE ASSESSMENT.—The term “completion of the comprehensive assessment” means the standard for the completion of the comprehensive assessment provided under subsection (b) of such section.

(3) UPDATE OF THE COMPREHENSIVE ASSESSMENT.—The term “update of the comprehensive assessment” means the standard for an update of the comprehensive assessment provided under subsection (d) of such section.

(4) OUTCOME AND ASSESSMENT INFORMATION SET.—The term “Outcome and Assessment Information Set” means the standard provided under subsection (e) of such section, relating to data items that must be used in conducting a comprehensive assessment of patients.

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