

106TH CONGRESS
1ST SESSION

H. R. 3029

To amend title XVIII of the Social Security Act to increase Medicare payment to skilled nursing facilities that have a significant proportion of residents with AIDS.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 1999

Ms. DUNN (for herself and Mr. McDERMOTT) 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

A BILL

To amend title XVIII of the Social Security Act to increase Medicare payment to skilled nursing facilities that have a significant proportion of residents with AIDS.

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 “AIDS Skilled Nursing
5 Care Assistance Act of 1999”.

1 **SEC. 2. MEDICARE PAYMENT TO SKILLED NURSING FACILI-**
2 **TIES WITH A SIGNIFICANT PROPORTION OF**
3 **RESIDENTS WITH AIDS.**

4 (a) IN GENERAL.—Section 1888(e) of the Social Se-
5 curity Act (42 U.S.C. 1395yy(e)) is amended—

6 (1) in paragraph (1), by striking “subject to
7 paragraph (7)” and inserting “subject to paragraphs
8 (7) and (11)”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(11) PAYMENT RULE FOR CERTAIN FACILI-
12 TIES.—

13 “(A) IN GENERAL.—In the case of a quali-
14 fied acute skilled nursing facility described in
15 subparagraph (B), the amount of payment
16 made to such facility for all costs of covered
17 skilled nursing services for each day of such
18 services furnished is equal to the greater of—

19 “(i) the sum of—

20 “(I) 50 percent of the facility-
21 specific per diem rate (computed
22 under paragraph (3)), and

23 “(II) 50 percent of the adjusted
24 Federal per diem rate (determined
25 under paragraph (4)), or

1 “(ii) the adjusted Federal per diem
2 rate applicable to the facility.

3 “(B) FACILITY DESCRIBED.—For purposes
4 of subparagraph (A), a qualified acute skilled
5 nursing facility is a facility that demonstrates
6 to the Secretary that for services furnished dur-
7 ing a cost reporting period in a fiscal year, on
8 the basis of the cost report submitted by the fa-
9 cility for the cost reporting period of the pre-
10 vious fiscal year, the percentage of patients en-
11 titled to benefits under part A to whom the fa-
12 cility furnished covered skilled nursing facility
13 services for the primary diagnosis of Acquired
14 Immune Deficiency Syndrome (AIDS) during
15 such cost reporting period of the previous fiscal
16 year is not less than 35 percent.”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 subsection (a) shall apply to payments for services fur-
19 nished in cost reporting periods beginning on or after July
20 1, 1999.

○