

108TH CONGRESS  
2D SESSION

# S. 2260

To amend title XVIII of the Social Security Act to provide for fairness in the calculation of medicare disproportionate share hospital payments for hospitals in Puerto Rico.

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IN THE SENATE OF THE UNITED STATES

MARCH 30, 2004

Mr. SANTORUM introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to provide for fairness in the calculation of medicare disproportionate share hospital payments for hospitals in Puerto Rico.

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 “Medicare DSH Pay-  
5       ments for Puerto Rico Hospitals Fairness Act of 2004”.

1 **SEC. 2. CALCULATION OF MEDICARE DSH PAYMENTS FOR**  
 2 **PPS HOSPITALS IN PUERTO RICO.**

3 Section 1886(d)(9)(D)(iii) of the Social Security Act  
 4 (42 U.S.C. 1395ww(d)(9)(D)(iii)) is amended to read as  
 5 follows:

6 “(iii) Subparagraph (F) (relating to dispropor-  
 7 tionate share payments), except that for this pur-  
 8 pose—

9 “(I) the sum described in clause (ii) of this  
 10 subparagraph shall be substituted for the sum  
 11 referred to in paragraph (5)(F)(ii)(I); and

12 “(II) for discharges occurring on or after  
 13 October 1, 2004, subclause (I) of paragraph  
 14 (5)(F)(vi) shall be applied by substituting for  
 15 the numerator described in such subclause the  
 16 number of a subsection (d) Puerto Rico hos-  
 17 pital’s patient days for a cost reporting period  
 18 that are made up of patients who (for such  
 19 days) were entitled to benefits under part A of  
 20 this title and were recipients of aid under the  
 21 State plan approved under title XVI that pro-  
 22 vides for grants to States for aid to the aged,  
 23 blind, or disabled.”.

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