

108TH CONGRESS
2D SESSION

S. 2698

To amend title XVIII of the Social Security Act to revoke the unique ability of the Joint Commission for the Accreditation of Healthcare Organizations to deem hospitals to meet certain requirements under the medicare program and to provide for greater accountability of the Joint Commission to the Secretary of Health and Human Services.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2004

Mr. GRASSLEY (for himself and Mr. BAUCUS) 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 revoke the unique ability of the Joint Commission for the Accreditation of Healthcare Organizations to deem hospitals to meet certain requirements under the medicare program and to provide for greater accountability of the Joint Commission to the Secretary of Health and Human Services.

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 Hospital Ac-
5 creditation Act of 2004”.

1 **SEC. 2. REVOCATION OF UNIQUE DEEMING AUTHORITY OF**
2 **THE JOINT COMMISSION FOR THE ACCREDI-**
3 **TATION OF HEALTHCARE ORGANIZATIONS.**

4 (a) REVOCATION.—Section 1865 of the Social Secu-
5 rity Act (42 U.S.C. 1395bb) is amended—

6 (1) by striking subsection (a); and

7 (2) by redesignating subsections (b), (c), (d),
8 and (e) as subsections (a), (b), (c), and (d), respec-
9 tively.

10 (b) CONFORMING AMENDMENTS.—(1) Such section
11 is further amended—

12 (A) in subsection (a)(1), as so redesignated, by
13 striking “In addition, if” and inserting “If”;

14 (B) in subsection (b), as so redesignated—

15 (i) by striking “released to him by the
16 Joint Commission on Accreditation of Hos-
17 pitals,” and inserting “released to the Secretary
18 by”; and

19 (ii) by striking the comma after “Associa-
20 tion”;

21 (C) in subsection (c), as so redesignated, by
22 striking “pursuant to subsection (a) or (b)(1)” and
23 inserting “pursuant to subsection (a)(1)”; and

24 (D) in subsection (d), as so redesignated, by
25 striking “pursuant to subsection (a) or (b)(1)” and
26 inserting “pursuant to subsection (a)(1)”.

1 (2) Section 1861(e) of such Act (42 U.S.C. 1395x(e))
2 is amended in the fourth sentence by striking “and (ii)
3 is accredited by the Joint Commission on Accreditation
4 of Hospitals, or is accredited by or approved by a program
5 of the country in which such institution is located if the
6 Secretary finds the accreditation or comparable approval
7 standards of such program to be essentially equivalent to
8 those of the Joint Commission on Accreditation of Hos-
9 pitals” and inserting “and (ii) is accredited by a national
10 accreditation body recognized by the Secretary under sec-
11 tion 1865(a), or is accredited by or approved by a program
12 of the country in which such institution is located if the
13 Secretary finds the accreditation or comparable approval
14 standards of such program to be essentially equivalent to
15 those of such a national accreditation body.”.

16 (3) Section 1864(c) of such Act (42 U.S.C.
17 1395aa(c)) is amended by striking “pursuant to sub-
18 section (a) or (b)(1) of section 1865” and inserting “pur-
19 suant to section 1865(a)(1)”.

20 (4) Section 1875(b) of such Act (42 U.S.C.
21 1395ll(b)) is amended by striking “the Joint Commission
22 on Accreditation of Hospitals,” and inserting “national ac-
23 creditation bodies under section 1865(a)”.

1 (5) Section 1834(a)(20)(B) of such Act (42 U.S.C.
2 1395m(a)(20)(B)) is amended by striking “section
3 1865(b)” and inserting “section 1865(a)”.

4 (6) Section 1852(e)(4)(C) of such Act (42 U.S.C.
5 1395w-22(e)(4)(C)) is amended by striking “section
6 1865(b)(2)” and inserting “section 1865(a)(2)”.

7 (c) **AUTHORITY TO RECOGNIZE JCAHO AS A NA-**
8 **TIONAL ACCREDITATION BODY.**—The Secretary of Health
9 and Human Services may recognize the Joint Commission
10 on Accreditation of Healthcare Organizations as a na-
11 tional accreditation body under section 1865 of the Social
12 Security Act (42 U.S.C. 1395bb), as amended by this sec-
13 tion, upon such terms and conditions, and upon submis-
14 sion of such information, as the Secretary may require.

15 (d) **EFFECTIVE DATE; TRANSITION RULE.**—(1) Sub-
16 ject to paragraph (2), the amendments made by this sec-
17 tion shall apply with respect to accreditations of hospitals
18 granted on or after the date that is 18 months after the
19 date of the enactment of this Act.

20 (2) For purposes of title XVIII of the Social Security
21 Act (42 U.S.C. 1395 et seq.), the amendments made by
22 this section shall not effect the accreditation of a hospital
23 by the Joint Commission on Accreditation of Healthcare
24 Organizations, or under accreditation or comparable ap-
25 proval standards found to be essentially equivalent to ac-

- 1 creditation or approval standards of the Joint Commission
- 2 on Accreditation of Healthcare Organizations, for the pe-
- 3 riod of time applicable under such accreditation.

