

109TH CONGRESS  
1ST SESSION

# H. R. 4207

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

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2005

Mr. FORTUÑO (for himself and Mr. MCCRERY) introduced the following bill;  
which was referred to the Committee on Ways and Means

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## A BILL

To amend title XVIII of the Social Security Act to provide for equity 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 “Puerto Rico Hospitals  
5       Medicare DSH Equity Act of 2005”.

1 **SEC. 2. CALCULATION OF MEDICARE DSHH 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 disproportional  
7 share payments), except that for this purpose—  
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, 2005, 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 subsection (d) Puerto Rico hospital’s  
17 patient days for a cost reporting period which  
18 were made up of patients who (for such days)  
19 were entitled to benefits under part A of this  
20 title and either were eligible in Puerto Rico on  
21 a categorically needy basis or medically needy  
22 basis as aged, blind or disabled for medical assistance  
23 under title XIX.”.

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