

109TH CONGRESS
1ST SESSION

S. 1277

To amend title XVIII of the Social Security Act to require hospitals and critical access hospitals, as a condition of participation under the medicare program, to meet certain requirements in order to advertise that the hospital has the capability of addressing emergency and acute coronary syndromes.

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2005

Mr. DEWINE 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 require hospitals and critical access hospitals, as a condition of participation under the medicare program, to meet certain requirements in order to advertise that the hospital has the capability of addressing emergency and acute coronary syndromes.

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 “Heart Attack Safety
5 Act of 2005”.

1 **SEC. 2. ADDITIONAL MEDICARE CONDITION OF PARTICIPA-**
2 **TION FOR HOSPITALS AND CRITICAL ACCESS**
3 **HOSPITALS.**

4 (a) ADDITIONAL CONDITION OF PARTICIPATION.—
5 Section 1866(a)(1) of the Social Security Act (42 U.S.C.
6 1395cc(a)(1)) is amended—

7 (1) in subparagraph (U), by striking “and” at
8 the end;

9 (2) in subparagraph (V), by striking the period
10 at the end and inserting “, and”;

11 (3) by inserting after subparagraph (V) the fol-
12 lowing new subparagraph:

13 “(W) in the case of hospitals and critical access
14 hospitals, not to advertise (whether through written,
15 radio, television, electronic, or any other medium)
16 that the hospital or critical access hospital has the
17 capability of addressing emergency or acute coronary
18 syndromes unless the hospital or critical access hos-
19 pital meets requirements established by the Sec-
20 retary.”; and

21 (4) by adding at the end the following new sen-
22 tence: “For purposes of subparagraph (W), a hos-
23 pital or critical access hospital that characterizes
24 itself as having a ‘chest pain center’ shall be consid-
25 ered to be advertising that the hospital or critical ac-

1 cess hospital has the capability of addressing emer-
2 gency or acute coronary syndromes.”.

3 (b) REQUIREMENTS.—By not later than 1 year after
4 the date of enactment of this Act, the Secretary of Health
5 and Human Services shall establish by regulation require-
6 ments under section 1861(a)(1)(W) of the Social Security
7 Act, as added by subsection (a), for hospitals and critical
8 access hospitals that wish to advertise that the hospital
9 or critical access hospital has the capability of addressing
10 emergency or acute coronary syndromes.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to medicare participation agree-
13 ments in effect, entered into, or renewed on or after the
14 date that is 1 year after the date of enactment of this
15 Act.

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