

111TH CONGRESS  
1ST SESSION

# H. R. 3422

To amend title XVIII of the Social Security Act to make temporary improvements to the Medicare inpatient payment adjustment for low-volume hospitals, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2009

Mr. KING of Iowa (for himself and Mr. LATHAM) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and 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 make temporary improvements to the Medicare inpatient payment adjustment for low-volume hospitals, and for other purposes.

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 Support for  
5 Rural Hospitals Act”.

1 **SEC. 2. TEMPORARY IMPROVEMENTS TO THE MEDICARE**  
2 **INPATIENT HOSPITAL PAYMENT ADJUST-**  
3 **MENT FOR LOW-VOLUME HOSPITALS.**

4 (a) IN GENERAL.—Section 1886(d)(12) of the Social  
5 Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

6 (1) in subparagraph (A), by inserting “or (D)  
7 (for discharges occurring in fiscal year 2010)” after  
8 “subparagraph (B)”;

9 (2) in subparagraph (B), by striking “The Sec-  
10 retary” and inserting “Except as provided in sub-  
11 paragraph (D), the Secretary”;

12 (3) in subparagraph (C)(i)—

13 (A) by inserting “(or, with respect to fiscal  
14 year 2010, 15 road miles)” after “25 road  
15 miles”; and

16 (B) by inserting “(or, with respect to fiscal  
17 year 2010, 1,500 discharges of individuals enti-  
18 tled to, or enrolled for, benefits under part A)”  
19 after “800 discharges”; and

20 (4) by adding at the end the following new sub-  
21 paragraph:

22 “(D) TEMPORARY APPLICABLE PERCENT-  
23 AGE INCREASE.—For discharges occurring in  
24 fiscal year 2010, the Secretary shall determine  
25 an applicable percentage increase for purposes  
26 of subparagraph (A) using a continuous linear

1 sliding scale ranging from 25 percent for low-  
2 volume hospitals with 200 or fewer discharges  
3 of individuals entitled to, or enrolled for, bene-  
4 fits under part A in the fiscal year to 0 percent  
5 for low-volume hospitals with greater than  
6 1,500 discharges of such individuals in the fis-  
7 cal year.”.

8 (b) IMPLEMENTATION.—Notwithstanding any other  
9 provision of law, the Secretary of Health and Human  
10 Services may implement the amendments made by sub-  
11 section (a) by program instruction or otherwise.

12 **SEC. 3. USE OF NON-WAGE ADJUSTED PPS RATE UNDER**  
13 **THE MEDICARE-DEPENDENT HOSPITAL**  
14 **(MDH) PROGRAM.**

15 (a) IN GENERAL.—Section 1886(d)(5)(G) of the So-  
16 cial Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amend-  
17 ed by adding at the end the following new clause:

18 “(v) In the case of discharges occurring on or after  
19 October 1, 2009, and before October 1, 2010, in deter-  
20 mining the amount under paragraph (1)(A)(iii) for pur-  
21 poses of clauses (i) and (ii)(II), such amount shall, if it  
22 results in greater payments to the hospital, be determined  
23 without regard to any adjustment for different area wage  
24 levels under paragraph (3)(E).”.

1           (b) IMPLEMENTATION.—Notwithstanding any other  
2 provision of law, the Secretary of Health and Human  
3 Services may implement the amendment made by sub-  
4 section (a) by program instruction or otherwise.

5 **SEC. 4. REPEAL OF SECTION 211 OF PUBLIC LAW 111-3.**

6           Section 211 of Public Law 111-3 is repealed.

○