

111TH CONGRESS  
1ST SESSION

# S. 421

To impose a temporary moratorium on the phase out of the Medicare hospice budget neutrality adjustment factor.

---

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2009

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

---

## A BILL

To impose a temporary moratorium on the phase out of the Medicare hospice budget neutrality adjustment factor.

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 “Hospice Protection  
5 Act”.

6 **SEC. 2. TEMPORARY MORATORIUM ON PHASE OUT OF THE**  
7 **MEDICARE HOSPICE BUDGET NEUTRALITY**  
8 **ADJUSTMENT FACTOR.**

9 Notwithstanding any other provision of law, including  
10 provisions contained in the final rule published on August

1 8, 2008, on pages 46464 to 46522 of volume 73 of the  
2 Federal Register (relating to part 418 of title 42, code  
3 of Federal Regulations), during the period that begins on  
4 the date of enactment of this section and ends on Decem-  
5 ber 31, 2009, the Secretary of Health and Human Serv-  
6 ices shall recompute and apply the final Medicare hospice  
7 wage index for fiscal year 2009 as if the Budget Neu-  
8 trality Adjustment Factor had remained in place with no  
9 reduction.

○