

113TH CONGRESS
1ST SESSION

H. R. 2053

To amend title XVIII of the Social Security Act to apply budget neutrality on a State-specific basis in the calculation of the Medicare hospital wage index floor for non-rural areas.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2013

Mr. BRADY of Texas (for himself, Mr. REED, Mr. TIBERI, Mr. ROSKAM, Mr. BUCHANAN, Mr. SCHOCK, Mr. KELLY of Pennsylvania, Mr. RENACCI, and Mr. GRIFFITH of Virginia) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title XVIII of the Social Security Act to apply budget neutrality on a State-specific basis in the calculation of the Medicare hospital wage index floor for non-rural areas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. APPLYING BUDGET NEUTRALITY ON A STATE-**
2 **SPECIFIC BASIS IN THE CALCULATION OF**
3 **THE MEDICARE HOSPITAL WAGE INDEX**
4 **FLOOR FOR NON-RURAL AREAS.**

5 (a) IN GENERAL.—Section 1886(d)(3)(E) of the So-
6 cial Security Act (42 U.S.C. 1395ww(d)(3)(E)) is amend-
7 ed by adding at the end the following new clause:

8 “(iv) APPLICATION OF BUDGET NEU-
9 TRALITY RELATING TO FLOOR ON WAGE
10 AREA INDEX IN NON-RURAL AREAS.—

11 “(I) APPLICATION ON A STATE-
12 SPECIFIC BASIS BEGINNING IN FISCAL
13 YEAR 2014.—Subject to subclause (II),
14 in the case of discharges occurring on
15 or after October 1, 2013, for purposes
16 of applying section 4410(b) of the
17 Balanced Budget Act of 1997, the
18 Secretary shall administer such sec-
19 tion 4410(b) and paragraph (e) of
20 section 412.64 of title 42, Code of
21 Federal Regulations, as if paragraph
22 (e)(4)(ii) of such section 412.64 had
23 never applied and by using the meth-
24 odology promulgated in the Federal
25 Register on August 19, 2008 (73 Fed.
26 Reg. 48570) (applied as if such meth-

1 odology had been fully implemented
2 for fiscal year 2011 using a 100 per-
3 cent State-specific adjustment to the
4 area wage index).

5 “(II) CONSTRUCTION.—Nothing
6 in subclause (I) shall be construed as
7 preventing the Secretary, for dis-
8 charges occurring on or after October
9 1, 2014, from modifying the regula-
10 tions under such section 412.64 in
11 carrying out the budget neutrality re-
12 quirements of such section 4410(b).”.

13 (b) CONFORMING AMENDMENT TERMINATING APPLI-
14 CATION OF BUDGET NEUTRALITY ON A NATIONWIDE
15 BASIS.—Section 3141 of the Patient Protection and Af-
16 fordable Care Act (42 U.S.C. 1395ww note) is amended
17 by inserting “and before October 1, 2013,” after “2010,”.

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