

114TH CONGRESS
2D SESSION

H. R. 5723

To amend title XVIII of the Social Security Act to provide for a temporary exception to the site neutral payment rate for certain discharges from long-term care hospitals that involve severe wounds.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2016

Mr. LEVIN 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 provide for a temporary exception to the site neutral payment rate for certain discharges from long-term care hospitals that involve severe wounds.

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. TEMPORARY EXCEPTION TO SITE NEUTRAL**
 2 **PAYMENT RATE FOR CERTAIN DISCHARGES**
 3 **FROM LONG-TERM CARE HOSPITALS THAT**
 4 **INVOLVE SEVERE WOUNDS.**

5 (a) IN GENERAL.—Section 1886(m)(6) of the Social
 6 Security Act (42 U.S.C. 1395ww(m)(6)) is amended—

7 (1) in subparagraph (A)(i) by striking “sub-
 8 paragraphs (C) and (E)” and inserting “subpara-
 9 graphs (C), (E), and (F)”;

10 (2) in subparagraph (E)(i)(I)(aa), by striking
 11 “the amendment made” and all that follows before
 12 the semicolon and inserting “the last sentence of
 13 subsection (d)(1)(B)”;

14 (3) by adding at the end the following new sub-
 15 paragraph:

16 “(F) ADDITIONAL TEMPORARY EXCEPTION
 17 FOR CERTAIN SEVERE WOUND DISCHARGES
 18 FROM CERTAIN LONG-TERM CARE HOSPITALS.—

19 “(i) IN GENERAL.—For a discharge
 20 occurring in a cost reporting period begin-
 21 ning during fiscal year 2018, subpara-
 22 graph (A)(i) shall not apply (and payment
 23 shall be made to a long-term care hospital
 24 without regard to this paragraph) if such
 25 discharge—

1 “(I) is from a long-term care
2 hospital identified by the last sentence
3 of subsection (d)(1)(B);

4 “(II) is classified under MS-
5 LTCH-DRG 602, 603, 539, or 540;
6 and

7 “(III) is with respect to an indi-
8 vidual treated by a long-term care
9 hospital for a severe wound.

10 “(ii) SEVERE WOUND DEFINED.—In
11 this subparagraph, the term ‘severe wound’
12 means a wound which is a stage 3 wound,
13 stage 4 wound, unstageable wound, non-
14 healing surgical wound, or fistula as identi-
15 fied in the claim from the long-term care
16 hospital.

17 “(iii) WOUND DEFINED.—In this sub-
18 paragraph, the term ‘wound’ means an in-
19 jury involving division of tissue or rupture
20 of the integument or mucous membrane
21 with exposure to the external environ-
22 ment.”.

23 (b) STUDY AND REPORT TO CONGRESS.—

24 (1) STUDY.—The Comptroller General of the
25 United States shall, in consultation with relevant

1 stakeholders, conduct a study on the treatment
2 needs of individuals entitled to benefits under part
3 A of title XVIII of the Social Security Act or en-
4 rolled under part B of such title who require special-
5 ized wound care, and the cost, for such individuals
6 and the Medicare program under such title, of treat-
7 ing severe wounds in rural and urban areas. Such
8 study shall include an assessment of—

9 (A) access of such individuals to appro-
10 priate levels of care for such cases;

11 (B) the potential impact that section
12 1886(m)(6)(A)(i) of such Act (42 U.S.C.
13 1395ww(m)(6)(A)(i)) will have on the access,
14 quality, and cost of care for such individuals;
15 and

16 (C) how to appropriately pay for such care
17 under the Medicare program under such title.

18 (2) REPORT.—Not later than October 1, 2020,
19 the Comptroller General shall submit to Congress a
20 report on the study conducted under paragraph (1),
21 including recommendations for such legislation and
22 administrative action as the Comptroller General de-
23 termines appropriate.

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