

114TH CONGRESS
2D SESSION

S. 2758

To amend title XVIII of the Social Security Act to remove consideration of certain pain-related issues from calculations under the Medicare hospital value-based purchasing program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2016

Mr. JOHNSON (for himself, Mr. MANCHIN, Mr. BARRASSO, and Mr. BLUMENTHAL) 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 remove consideration of certain pain-related issues from calculations under the Medicare hospital value-based purchasing program, 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 “Promoting Responsible
5 Opioid Prescribing Act of 2016” and as the “PROP Act
6 of 2016”.

1 **SEC. 2. REMOVING CONSIDERATION OF CERTAIN PAIN-RE-**
2 **LATED ISSUES FROM CALCULATIONS UNDER**
3 **THE MEDICARE HOSPITAL VALUE-BASED**
4 **PURCHASING PROGRAM.**

5 Section 1886(o)(2)(B) of the Social Security Act (42
6 U.S.C. 1395ww(o)(2)(B)) is amended—

7 (1) in clause (i)(II), by inserting “, subject to
8 clause (iii),” after “shall”; and

9 (2) by adding at the end the following new
10 clause:

11 “(iii) **EXCLUSION OF CERTAIN PAIN-**
12 **RELATED MEASURES.**—For value-based in-
13 centive payments made with respect to dis-
14 charges occurring during fiscal year 2017
15 or a subsequent fiscal year, the Secretary
16 shall ensure that measures selected under
17 subparagraph (A) do not include measures
18 based on any assessments by patients, with
19 respect to hospital stays of such patients,
20 of—

21 “(I) the need of such patients,
22 during such stay, for medicine for
23 pain;

24 “(II) how often, during such
25 stay, the pain of such patients was
26 well controlled; or

1 “(III) how often, during such
2 stay, the staff of the hospital in which
3 such stay occurred did everything they
4 could to help the patient with the pain
5 experienced by the patient.”.

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