

115TH CONGRESS
2D SESSION

H. R. 7248

To amend title XVIII of the Social Security Act to direct the Secretary of Human Services to solicit information from providers and suppliers of services on ways to reduce administrative and regulatory burdens under the Medicare program, to provide for transparency and public feedback for evaluating a post-acute care prospective payment system under such title, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2018

Mr. MARCHANT (for himself and Ms. SEWELL of Alabama) 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 direct the Secretary of Human Services to solicit information from providers and suppliers of services on ways to reduce administrative and regulatory burdens under the Medicare program, to provide for transparency and public feedback for evaluating a post-acute care prospective payment system under such title, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reducing Administra-
3 tive Burden and Becoming Increasingly Transparent
4 Act”.

5 **SEC. 2. DIRECTING THE SECRETARY OF HUMAN SERVICES**
6 **TO SOLICIT INFORMATION FROM PROVIDERS**
7 **AND SUPPLIERS OF SERVICES ON WAYS TO**
8 **REDUCE ADMINISTRATIVE AND REGULATORY**
9 **BURDENS UNDER THE MEDICARE PROGRAM.**

10 (a) PART A.—Section 1816 of the Social Security Act
11 (42 U.S.C. 1395h) is amended by adding at the end the
12 following new subsection:

13 “(1) REDUCTION OF ADMINISTRATIVE AND REGU-
14 LATORY BURDENS.—

15 “(1) IN GENERAL.—

16 “(A) PUBLIC INPUT.—Each year (begin-
17 ning with 2019), the Secretary shall solicit
18 input from the public, including providers and
19 suppliers of services receiving payment under
20 this part, on ways to reduce administrative and
21 regulatory burdens under this title on such pro-
22 viders and suppliers. In soliciting input pursu-
23 ant to the previous sentence, the Secretary shall
24 use requests for information (which may be in-
25 cluded as part of rulemaking) in addition to any

1 other methods determined appropriate by the
2 Secretary.

3 “(B) REVIEW OF INPUT.—The Secretary
4 shall review input received pursuant to subpara-
5 graph (A) and consider changes to require-
6 ments under this part determined appropriate
7 by the Secretary.

8 “(2) UPDATES.—For 2019 and each subse-
9 quent year, the Secretary shall post on the public
10 website of the Centers for Medicare & Medicaid
11 Services descriptions of actions and activities under-
12 taken by the Secretary during such year to reduce
13 administrative and regulatory burdens on providers
14 and suppliers of services under this title, including
15 the extent to which input received pursuant to para-
16 graph (1)(A) or section 1842(v)(1) was considered
17 or addressed.”.

18 (b) PART B.—Section 1842 of the Social Security Act
19 (42 U.S.C. 1395u) is amended by adding at the end the
20 following new subsection:

21 “(v) REDUCTION OF ADMINISTRATIVE AND REGU-
22 LATORY BURDENS.—

23 “(1) PUBLIC INPUT.—Each year (beginning
24 with 2019), the Secretary shall solicit input from the
25 public, including providers and suppliers of services

1 receiving payment under this part, on ways to re-
 2 duce administrative and regulatory burdens under
 3 this title on such providers and suppliers. In solici-
 4 ting input pursuant to the previous sentence, the
 5 Secretary shall use requests for information (which
 6 may be included as part of rulemaking) in addition
 7 to any other methods determined appropriate by the
 8 Secretary.

9 “(2) REVIEW OF INPUT.—The Secretary shall
 10 review input received pursuant to paragraph (1) and
 11 consider changes to requirements under this part de-
 12 termined appropriate by the Secretary.”.

13 **SEC. 3. TRANSPARENCY AND PUBLIC FEEDBACK FOR EVAL-**
 14 **UATING MEDICARE POST-ACUTE CARE PRO-**
 15 **SPECTIVE PAYMENT SYSTEM.**

16 Section 2(b)(2) of the IMPACT Act of 2014 is
 17 amended by adding at the end the following new subpara-
 18 graph:

19 “(C) TRANSPARENCY AND PUBLIC FEED-
 20 BACK FOR EVALUATING PAC PROSPECTIVE PAY-
 21 MENT SYSTEM.—

22 “(i) REQUEST FOR INFORMATION.—
 23 Beginning during 2019, the Secretary shall
 24 use at least one request for information
 25 (which may be included as part of rule-

1 making for each PAC payment system (as
2 defined in subsection (a)(2)(D) of section
3 1899B of the Social Security Act)) to so-
4 licit comments from PAC providers (as de-
5 fined in subsection (a)(2)(A) of such sec-
6 tion) on regulatory alignment issues with
7 respect to such providers achieving a PAC
8 prospective payment system described in
9 subparagraph (A).

10 “(ii) PUBLIC DISCLOSURE OF TEP
11 MEETING SUMMARIES.—Beginning during
12 2019, the Secretary shall, in the case of
13 any technical expert panel convened pursu-
14 ant to subparagraph (A), not later than 60
15 days after the date of a meeting of such
16 panel, post on the public website estab-
17 lished under clause (iii) a summary of the
18 issues discussed during such meeting.

19 “(iii) STAKEHOLDER FEEDBACK ON
20 DEVELOPMENT OF PAC PROSPECTIVE PAY-
21 MENT SYSTEM.—Beginning during 2019,
22 the Secretary shall establish a website loca-
23 tion for the public to submit comments re-
24 lated to the development and implementa-

1 tion of a PAC prospective payment system
 2 described in subparagraph (A).”.

3 **SEC. 4. REQUIRING THE SECRETARY OF HEALTH AND**
 4 **HUMAN SERVICES TO CONDUCT ANNUAL**
 5 **OPEN DOOR FORUMS WITH CERTAIN PRO-**
 6 **VIDERS OF SERVICES UNDER THE MEDICARE**
 7 **PROGRAM.**

8 (a) SENSE OF CONGRESS.—It is the sense of Con-
 9 gress that activities carried out by the Centers for Medi-
 10 care & Medicaid Services that directly engage providers
 11 and suppliers of services under the Medicare program help
 12 serve to reduce administrative burdens under such pro-
 13 gram and ultimately lead to a more streamlined experience
 14 for Medicare beneficiaries receiving items and services
 15 from such providers and suppliers.

16 (b) REQUIREMENT.—Section 1816 of the Social Se-
 17 curity Act (42 U.S.C. 1395h), as amended by section 2(a),
 18 is further amended by adding at the end the following new
 19 subsection:

20 “(m) OPEN DOOR FORUMS.—

21 “(1) IN GENERAL.—Not less frequently than
 22 annually, and with respect to each type of provider
 23 of services described in paragraph (2), the Secretary
 24 shall conduct real-time informational forums (either
 25 in-person or through the use of telecommunications

1 technology) open to the public through which the
2 Secretary—

3 “(A) provides relevant information to such
4 providers with respect to furnishing items and
5 services to individuals entitled to benefits under
6 this part or enrolled under part B, including
7 applicable updates or changes to requirements
8 under this title associated with furnishing such
9 items and services; and

10 “(B) answers questions from such pro-
11 viders with respect to furnishing such items and
12 services or complying with such requirements.

13 “(2) APPLICABLE PROVIDERS.—Providers of
14 services described in this paragraph are—

15 “(A) skilled nursing facilities;

16 “(B) home health agencies;

17 “(C) inpatient rehabilitation facilities;

18 “(D) long-term care hospitals; and

19 “(E) hospice programs.”.

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