

117TH CONGRESS
2D SESSION

S. 4307

To amend title XVIII of the Social Security Act to expand the ability of renal dialysis facilities to serve as originating sites for telehealth services under the Medicare program.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2022

Mr. WARNER (for himself and Mr. BARRASSO) 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 expand the ability of renal dialysis facilities to serve as originating sites for telehealth services under the Medicare program.

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 “Kidney Health Connect
5 Act”.

1 **SEC. 2. EXPANDING THE ABILITY OF RENAL DIALYSIS FA-**
 2 **CILITIES TO SERVE AS ORIGINATING SITES**
 3 **FOR TELEHEALTH SERVICES UNDER THE**
 4 **MEDICARE PROGRAM.**

5 (a) IN GENERAL.—Section 1834(m)(4)(C)(ii)(IX) of
 6 the Social Security Act (42 U.S.C.
 7 1395m(m)(4)(C)(ii)(IX)) is amended by striking “, but
 8 only for purposes of section 1881(b)(3)(B)”.

9 (b) REMOVAL OF GEOGRAPHIC REQUIREMENTS.—
 10 Section 1834(m) of the Social Security Act (42 U.S.C.
 11 1395m(m)) is amended—

12 (1) in paragraph (5)—

13 (A) in the header, by inserting “AND
 14 TELEHEALTH SERVICES FURNISHED AT A
 15 RENAL DIALYSIS FACILITY” after “VISIT”;

16 (B) by striking “subclause (VI), (IX), or
 17 (X)” and inserting “subclause (VI) or (X)”;
 18 and

19 (C) by inserting “, or with respect to tele-
 20 health services furnished for any purpose at an
 21 originating site described in subclause (IX) of
 22 such paragraph” before the period at the end;
 23 and

24 (2) in paragraph (7)(A), by striking “(other
 25 than an originating site described in subclause (IX)
 26 of such paragraph)”.

1 (c) PROHIBITION ON FACILITY FEE.—Section
 2 1834(m)(2)(B)(ii) of the Social Security Act (42 U.S.C.
 3 1395m(m)(2)(B)(ii)) is amended—

4 (1) in the header, by striking “IF ORIGINATING
 5 SITE IS THE HOME” and inserting “FOR CERTAIN
 6 ORIGINATING SITES”; and

7 (2) by striking “described in paragraph
 8 (4)(C)(ii)(X)” and inserting “described in subclause
 9 (IX) or (X) of paragraph (4)(C)(ii)”.

10 (d) FACE-TO-FACE MONTHLY REQUIREMENT FOR
 11 CERTAIN SERVICES.—Section 1834(m) of the Social Secu-
 12 rity Act (42 U.S.C. 1395m(m)) is amended—

13 (1) in paragraph (1), by striking “Subject to
 14 paragraph (8)” and inserting “Subject to para-
 15 graphs (5)(B) and (8)”; and

16 (2) in paragraph (5), as amended by subsection
 17 (b)(1)—

18 (A) by striking “RENAL DIALYSIS FACIL-
 19 ITY.—The geographic requirements” and insert-
 20 ing “RENAL DIALYSIS FACILITY.—

21 “(A) WAIVER OF GEOGRAPHIC REQUIRE-
 22 MENTS.—The geographic requirements”; and

23 (B) by adding at the end the following new
 24 subparagraph:

1 “(B) FACE-TO-FACE MONTHLY REQUIRE-
2 MENT.—Subparagraph (A) shall apply to an in-
3 dividual, with respect to telehealth services fur-
4 nished by a physician or practitioner for pur-
5 poses of section 1881(b)(3)(A)(ii) (not including
6 telehealth services rendered for purposes of sec-
7 tion 1881(b)(3)(B)) at an originating site de-
8 scribed in subclause (IX) of paragraph
9 (4)(C)(ii) only if the individual had at least one
10 face-to-face visit with a physician during the
11 same calendar month such telehealth services
12 were rendered.”.

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