

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1134

To amend title XVIII of the Social Security Act to extend certain savings provisions under the medicare program, as incorporated in the budget submitted by the President for fiscal year 1996.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1995

Mr. THOMAS of California introduced the following bill; which was referred to the Committee on Ways and Means and, in addition, to the Committee on 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

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## A BILL

To amend title XVIII of the Social Security Act to extend certain savings provisions under the medicare program, as incorporated in the budget submitted by the President for fiscal year 1996.

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 “Medicare Presidential  
5 Budget Savings Extension Act of 1995”.

1 TITLE I—PROVISIONS RELATING TO PART A OF  
2 THE MEDICARE PROGRAM

3 **SEC. 101. MAINTAINING SAVINGS RESULTING FROM TEM-**  
4 **PORARY FREEZE ON PAYMENT INCREASES**  
5 **FOR SKILLED NURSING FACILITY SERVICES.**

6 (a) BASING UPDATES TO PER DIEM COST LIMITS ON  
7 LIMITS FOR FISCAL YEAR 1993.—

8 (1) IN GENERAL.—The last sentence of section  
9 1888(a) of the Social Security Act (42 U.S.C.  
10 1395yy(a)) is amended by adding at the end the fol-  
11 lowing: “(except that such updates may not take  
12 into account any changes in the routine service costs  
13 of skilled nursing facilities occurring during cost re-  
14 porting periods which began during fiscal year 1994  
15 or fiscal year 1995).”.

16 (2) NO EXCEPTIONS PERMITTED BASED ON  
17 AMENDMENT.—The Secretary of Health and Human  
18 Services shall not consider the amendment made by  
19 paragraph (1) in making any adjustments pursuant  
20 to section 1888(c) of the Social Security Act.

21 (b) PAYMENTS DETERMINED ON PROSPECTIVE  
22 BASIS.—Any change made by the Secretary of Health and  
23 Human Services in the amount of any prospective pay-  
24 ment paid to a skilled nursing facility under section  
25 1888(d) of the Social Security Act for cost reporting peri-

1 ods beginning on or after October 1, 1995, may not take  
2 into account any changes in the costs of services occurring  
3 during cost reporting periods which began during fiscal  
4 year 1994 or fiscal year 1995.

5 TITLE II—PROVISIONS RELATING TO PART B  
6 OF THE MEDICARE PROGRAM

7 **SEC. 201. SETTING THE PART B PREMIUM AT 25 PERCENT**  
8 **OF PROGRAM EXPENDITURES PERMA-**  
9 **NENTLY.**

10 (a) IN GENERAL.—Section 1839(a)(3) of the Social  
11 Security Act (42 U.S.C. 1395r(a)(3)) is amended by strik-  
12 ing “The monthly premium” and all that follows through  
13 “November 1.” and inserting the following: “The monthly  
14 premium shall be equal to 50 percent of the monthly actu-  
15 arial rate for enrollees age 65 and over, as determined ac-  
16 cording to paragraph (1), for that succeeding calendar  
17 year.”.

18 (b) CONFORMING AMENDMENTS.—Section 1839 of  
19 such Act (42 U.S.C. 1395r) is amended—

20 (1) in subsection (a)(2), by striking “(b) and  
21 (e)” and inserting “(b), (c), (e), and (f)”;

22 (2) in the last sentence of subsection (a)(3), by  
23 striking “and the derivation of the dollar amounts  
24 specified in this paragraph”; and

25 (3) in subsection (e)—

- 1 (A) by striking “(1)(A) Notwithstanding”  
2 and all that follows through “(B)”,  
3 (B) by striking paragraph (2), and  
4 (C) by redesignating clauses (i) through  
5 (v) as paragraphs (1) through (5).

6 TITLE III—PROVISIONS RELATING TO PARTS A  
7 AND B OF THE MEDICARE PROGRAM

8 **SEC. 301. PERMANENT EXTENSION OF CERTAIN SECOND-**  
9 **ARY PAYER PROVISIONS.**

10 (a) DATA MATCH.—

11 (1) Section 1862(b)(5)(C) of the Social Security  
12 Act (42 U.S.C. 1395y(b)(5)(C)) is amended by strik-  
13 ing clause (iii).

14 (2) Section 6103(l)(12) of the Internal Revenue  
15 Code of 1986 is amended by striking subparagraph  
16 (F).

17 (b) APPLICATION TO DISABLED INDIVIDUALS IN  
18 LARGE GROUP HEALTH PLANS.—

19 (1) IN GENERAL.—Section 1862(b)(1)(B) of  
20 the Social Security Act (42 U.S.C. 1395y(b)(1)(B))  
21 is amended—

22 (A) in clause (i), by striking “clause (iv)”  
23 and inserting “clause (iii)”,

24 (B) by striking clause (iii), and

1 (C) by redesignating clause (iv) as clause  
2 (iii).

3 (2) CONFORMING AMENDMENTS.—Paragraphs  
4 (1) through (3) of section 1837(i) of such Act (42  
5 U.S.C. 1395p(i)) and the second sentence of section  
6 1839(b) of such Act (42 U.S.C. 1395r(b)) are each  
7 amended by striking “1862(b)(1)(B)(iv)” each place  
8 it appears and inserting “1862(b)(1)(B)(iii)”.

9 (c) PERIOD OF APPLICATION TO INDIVIDUALS WITH  
10 END STAGE RENAL DISEASE.—Section 1862(b)(1)(C) of  
11 the Social Security Act (42 U.S.C. 1395y(b)(1)(C)) is  
12 amended—

13 (1) in the first sentence, by striking “12-  
14 month” each place it appears and inserting “18-  
15 month”, and

16 (2) by striking the second sentence.

17 **SEC. 302. MAINTAINING SAVINGS RESULTING FROM TEM-**  
18 **PORARY FREEZE ON PAYMENT INCREASES**  
19 **FOR HOME HEALTH SERVICES.**

20 (a) BASING UPDATES TO PER VISIT COST LIMITS ON  
21 LIMITS FOR FISCAL YEAR 1993.—Section  
22 1861(v)(1)(L)(iii) of the Social Security Act (42 U.S.C.  
23 1395x(v)(1)(L)(iii)) is amended by adding at the end the  
24 following sentence: “In establishing limits under this sub-  
25 paragraph, the Secretary may not take into account any

1 changes in the costs of the provision of services furnished  
2 by home health agencies with respect to cost reporting pe-  
3 riods which began on or after July 1, 1994, and before  
4 July 1, 1996.”.

5 (b) NO EXCEPTIONS PERMITTED BASED ON AMEND-  
6 MENT.—The Secretary of Health and Human Services  
7 shall not consider the amendment made by subsection (a)  
8 in making any exemptions and exceptions pursuant to sec-  
9 tion 1861(v)(1)(L)(ii) of the Social Security Act.

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