

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 4011

To amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to restore State authority to waive the application of the 35-mile rule to permit the designation of a critical access hospital in Cass County, Minnesota.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2006

Mr. COLEMAN introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to restore State authority to waive the application of the 35-mile rule to permit the designation of a critical access hospital in Cass County, Minnesota.

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. RESTORING STATE AUTHORITY TO WAIVE AP-**  
2 **PLICATION OF 35-MILE RULE TO PERMIT DES-**  
3 **IGNATION OF A CRITICAL ACCESS HOSPITAL**  
4 **IN CASS COUNTY, MINNESOTA.**

5 Section 405(h) of the Medicare Prescription Drug,  
6 Improvement, and Modernization Act of 2003 (Public Law  
7 108–173; 117 Stat. 2269) is amended by adding at the  
8 end the following new paragraph:

9 “(3) EXCEPTION.—The amendment made by  
10 paragraph (1) shall not apply to the certification by  
11 the State of Minnesota on or after January 1, 2006,  
12 under section 1820(c)(2)(B)(i)(II) of the Social Se-  
13 curity Act (42 U.S.C. 1395i–4(c)(2)(B)(i)(II)) of a  
14 hospital in Cass County, Minnesota, as a necessary  
15 provider of health care services to residents in the  
16 area of the hospital.”.

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