

114TH CONGRESS
1ST SESSION

H. R. 2580

To provide for a technical change to the Medicare long-term care hospital moratorium exception, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 2015

Mr. BOUSTANY introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide for a technical change to the Medicare long-term care hospital moratorium exception, 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 “LTCH Technical Cor-
5 rection Act of 2015”.

6 **SEC. 2. TECHNICAL CHANGE TO THE MEDICARE LONG-**
7 **TERM CARE HOSPITAL MORATORIUM EXCEP-**
8 **TION.**

9 (a) IN GENERAL.—Section 114(d) of the Medicare,
10 Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C.

1 1395ww note), as amended by sections 3106(b) and
2 10312(b) of Public Law 111–148, section 1206(b)(2) of
3 the Pathway for SGR Reform Act of 2013 (division B of
4 Public Law 113–67), and section 112 of the Protecting
5 Access to Medicare Act of 2014, is amended, in paragraph
6 (7), by striking “The moratorium under paragraph
7 (1)(A)” and inserting “Any moratorium under paragraph
8 (1)” in the matter preceding subparagraph (A).

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall take effect as if included in the enact-
11 ment of section 112 of the Protecting Access to Medicare
12 Act of 2014.

13 **SEC. 3. MODIFICATION TO MEDICARE LONG-TERM CARE**
14 **HOSPITAL OUTLIER PAYMENTS.**

15 Section 1886(m) of the Social Security Act (42
16 U.S.C. 1395ww(m)) is amended by adding at the end the
17 following new paragraph:

18 “(7) TREATMENT OF OUTLIER PAYMENTS.—

19 “(A) REDUCTION FACTOR IN ESTAB-
20 LISHING OUTLIER POOL.—Under the system de-
21 scribed in paragraph (1), for rate years begin-
22 ning on or after October 1, 2016, in adjusting
23 the standard Federal rate for outlier payments,
24 the Secretary shall apply a reduction factor of
25 8 percent to establish an outlier pool.

1 “(B) LIMITATION ON PAYMENT
2 AMOUNTS.—In reimbursing outlier payments
3 under such system for such rate years, the Sec-
4 retary shall structure pool payments such that
5 the amounts paid in a rate year for outlier pay-
6 ments do not exceed an amount equivalent to
7 99.0625 percent of the outlier pool established
8 under subparagraph (A) for such rate year.

9 “(C) WAIVER OF BUDGET NEUTRALITY.—
10 Any reduction in payments resulting from the
11 application of subparagraphs (A) and (B) shall
12 not be taken into account in applying any budg-
13 et neutrality provision under such system.

14 “(D) NO EFFECT ON SITE NEUTRAL PAY-
15 MENT RATE.—This paragraph shall not apply
16 with respect to the computation of the applica-
17 ble site neutral payment rate under paragraph
18 (6).”.

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