

115TH CONGRESS
2D SESSION

S. 3693

To amend title XVIII of the Social Security Act to provide for the treatment of certain cancer hospitals.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 29, 2018

Mr. HATCH 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 provide for the treatment of certain cancer hospitals.

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. TREATMENT OF CERTAIN CANCER HOSPITALS.**

4 (a) IN GENERAL.—Section 1886(d)(1)(B)(v) of the
5 Social Security Act (42 U.S.C. 1395ww(d)(1)(B)(v)) is
6 amended—

7 (1) in subclause (II), by striking “or” at the
8 end; and

9 (2) by adding at the end the following new sub-
10 clause:

1 “(IV) a hospital that was designated as a com-
2 prehensive cancer center by the National Cancer In-
3 stitute of the National Institutes of Health before
4 the date of the enactment of this subclause, and that
5 is located in a State with less than 35 people per
6 square mile based on 2010 data published by the
7 Bureau of the Census, or”.

8 (b) SPECIAL RULE FOR ELIGIBLE HOSPITALS.—In
9 the case of a hospital described in section
10 1886(d)(1)(B)(v)(IV) of the Social Security Act, as added
11 by subsection (a), that elects not to be treated as a sub-
12 section (d) hospital pursuant to such section (in this sec-
13 tion referred to as an “eligible hospital”), for purposes of
14 the provisions of section 412.22(e) of title 42, Code of
15 Federal Regulations (or any successor regulations), the el-
16 igible hospital shall not be denied an exemption from the
17 prospective payment system under section 1886(d) of the
18 Social Security Act (42 U.S.C. 1395ww) solely because the
19 eligible hospital and another hospital are both under the
20 control of any third entity (including with respect to the
21 governing body, the chief medical officer, or the chief exec-
22 utive officer of the eligible hospital).

23 (c) EFFECTIVE DATE.—The amendments made by
24 subsection (a) shall apply to eligible hospitals in cost re-

1 porting periods beginning on or after the date of the en-
2 actment of this Act.

3 (d) BUDGET NEUTRALITY.—The Secretary shall
4 make a proportional adjustment in the standardized
5 amounts otherwise determined under subsection (d)(3) of
6 section 1886 of the Social Security Act (42 U.S.C.
7 1395ww), for cost reporting periods beginning on or after
8 the date of enactment of this Act, to assure that the provi-
9 sions of subclause (IV) of subsection (d)(1)(B)(v) of such
10 section, as added by subsection (a), do not result in aggre-
11 gate payments under such section that are greater or less
12 than those that would otherwise be made if such subclause
13 had not been enacted.

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