

115TH CONGRESS
1ST SESSION

S. 986

To amend title XVIII of the Social Security Act to permit hospitals in all-urban States to be considered Medicare dependent hospitals, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2017

Mr. MENENDEZ (for himself, Mr. BOOKER, Mr. CARPER, and Mr. COONS) 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 permit hospitals in all-urban States to be considered Medicare dependent hospitals, 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 “Fairness for Our Hos-
5 pitals Act of 2017”.

1 **SEC. 2. PERMITTING HOSPITALS IN ALL-URBAN STATES TO**
 2 **BE CONSIDERED MEDICARE DEPENDENT**
 3 **HOSPITALS.**

4 (a) IN GENERAL.—Section 1886(d)(5)(G)(iv)(I) of
 5 the Social Security Act (42 U.S.C.
 6 1395ww(d)(5)(G)(iv)(I)) is amended to read as follows:

7 “(I) that—

8 “(aa) is located in a rural
 9 area; or

10 “(bb) for discharges occur-
 11 ring on or after January 1, 2011,
 12 is located in a State with no
 13 rural area (as defined in para-
 14 graph (2)(D)) and satisfies any
 15 of the criteria in subclause (I),
 16 (II), (III), or (IV) of paragraph
 17 (8)(E)(ii),”.

18 (b) PROCESS FOR RECALCULATING PAYMENTS.—Not
 19 later than 120 days after the date of the enactment of
 20 this Act, the Secretary of Health and Human Services
 21 shall establish and implement a process under which the
 22 Secretary shall reimburse hospitals impacted by the
 23 amendment made by subsection (a) for any underpay-
 24 ments under title XVIII of the Social Security Act that
 25 are a result of the implementation of such amendment.