

the Home Health Payment Innovation Act, which I have introduced with Senator STABENOW and Senator NELSON. Our legislation would help preserve access to existing home health services under the Medicare program while also providing a pathway for innovative approaches to utilizing these services moving forward. This bipartisan legislation is endorsed by the National Association of Homecare and Hospice as well as the Partnership for Quality Home Healthcare.

I have been a strong supporter of home care since my very first home visit during my second year of Senate service. This experience gave me the opportunity to meet and visit with home health patients, where I saw first-hand what a difference highly skilled and caring visiting nurses make to the lives of patients and their families. I have been a passionate advocate for home care ever since. Last year, I was delighted to be recognized with the Ruby Slipper award from the Maine Home Care and Hospice Alliance—appropriately named because as Dorothy said in *The Wizard of Oz*, “There’s no place like home.”

The highly skilled and compassionate care that home health agencies provide in Maine and across the country has helped to keep families together and enabled millions of our most frail and vulnerable individuals to avoid hospitals and nursing homes and stay just where they want to be—in the comfort and security of their own homes. In fact, in 2014, AARP found that nearly 87 percent of adults over 65 years old want to stay in their current home and community as they age. Furthermore, 85 percent of home health patients live with three or more chronic conditions.

The legislation I am introducing today ensures the viability of home health services now and in the future. First, the Home Health Care Payment Innovation Act provides two key adjustments to the Bipartisan Budget Act of 2018 home health payment reform provisions. These changes would prevent premature payment rate cuts by basing any behavioral adjustment on observed evidence. It also provides a phase-in for any necessary rate increases or decreases to limit the risk of disruption in care. This phase-in is critical for home health providers as CMS has already proposed cutting Medicare payment rates in 2020 by more than \$1 billion in the first year alone, based purely on assumptions of changes in behavior.

Second, the legislation provides a pathway to expanded use of home health care in Medicare without increasing program spending by providing flexibility on waiving the “homebound” requirement for home health services when a plan or innovative care delivery models such as an ACO determines that providing care in the home would improve patient outcomes and reduce spending on patient care.

By helping patients to avoid more costly hospital visits and nursing

homes, we already know that home health saves Medicare, Medicaid and private insurers millions of dollars each year. Moving forward, as plans and providers continue to experiment with innovative ways to deliver care and improve value in Medicare spending, allowing them the flexibility to waive this limitation will help advance the goals of ensuring that care is delivered at the right time, at the right place, and at the right cost. The legislation I introduced today provides the pathway to do just that—promote innovation in home health. I urge my colleagues to support this legislation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4042. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table.

SA 4043. Mr. SULLIVAN (for Mr. JOHNSON (for himself and Mrs. MCCASKILL)) proposed an amendment to the bill H.R. 3359, to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes.

SA 4044. Mr. SULLIVAN (for Ms. MURKOWSKI) proposed an amendment to amendment SA 4043 proposed by Mr. SULLIVAN (for Mr. JOHNSON (for himself and Mrs. MCCASKILL)) to the bill H.R. 3359, supra.

TEXT OF AMENDMENTS

SA 4042. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

On page 886, beginning on line 14, strike “: Provided further, That such amount is designated by the Congress” and all that follows through “transmits such designation to the Congress” on line 23.

SA 4043. Mr. SULLIVAN (for Mr. JOHNSON (for himself and Mrs. MCCASKILL)) proposed an amendment to the bill H.R. 3359, to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cybersecurity and Infrastructure Security Agency Act of 2018”.

SEC. 2. CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

“TITLE XXII—CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY “Subtitle A—Cybersecurity and Infrastructure Security

“SEC. 2201. DEFINITIONS.

“In this subtitle:

“(1) CRITICAL INFRASTRUCTURE INFORMATION.—The term ‘critical infrastructure information’ has the meaning given the term in section 2222.

“(2) CYBERSECURITY RISK.—The term ‘cybersecurity risk’ has the meaning given the term in section 2209.

“(3) CYBERSECURITY THREAT.—The term ‘cybersecurity threat’ has the meaning given the term in section 102(5) of the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501)).

“(4) NATIONAL CYBERSECURITY ASSET RESPONSE ACTIVITIES.—The term ‘national cybersecurity asset response activities’ means—

“(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks to protect assets, mitigate vulnerabilities, and reduce impacts of cyber incidents;

“(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

“(C) assessing potential cybersecurity risks to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

“(D) facilitating information sharing and operational coordination with threat response; and

“(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to speed recovery from cybersecurity risks.

“(5) SECTOR-SPECIFIC AGENCY.—The term ‘Sector-Specific Agency’ means a Federal department or agency, designated by law or presidential directive, with responsibility for providing institutional knowledge and specialized expertise of a sector, as well as leading, facilitating, or supporting programs and associated activities of its designated critical infrastructure sector in the all hazards environment in coordination with the Department.

“(6) SHARING.—The term ‘sharing’ has the meaning given the term in section 2209.

“SEC. 2202. CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

“(a) REDESIGNATION.—

“(1) IN GENERAL.—The National Protection and Programs Directorate of the Department shall, on and after the date of the enactment of this subtitle, be known as the ‘Cybersecurity and Infrastructure Security Agency’ (in this subtitle referred to as the ‘Agency’).

“(2) REFERENCES.—Any reference to the National Protection and Programs Directorate of the Department in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Cybersecurity and Infrastructure Security Agency of the Department.

“(b) DIRECTOR.—

“(1) IN GENERAL.—The Agency shall be headed by a Director of Cybersecurity and Infrastructure Security (in this subtitle referred to as the ‘Director’), who shall report to the Secretary.

“(2) REFERENCE.—Any reference to an Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and any other related program of the Department as described in section 103(a)(1)(H) as in effect on the day before the date of enactment of this subtitle in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Director of Cybersecurity and Infrastructure Security of the Department.

“(c) RESPONSIBILITIES.—The Director shall—

“(1) lead cybersecurity and critical infrastructure security programs, operations, and