

116TH CONGRESS  
1ST SESSION

# H. R. 3127

To permit occupational therapists to conduct the initial assessment visit and complete the comprehensive assessment under a Medicare home health plan of care for certain rehabilitation cases.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2019

Mr. DOGGETT (for himself, Mr. SMITH of Missouri, Mr. TONKO, and Mr. MCKINLEY) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To permit occupational therapists to conduct the initial assessment visit and complete the comprehensive assessment under a Medicare home health plan of care for certain rehabilitation cases.

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 “Medicare Home Health  
5 Flexibility Act”.

1 **SEC. 2. PERMITTING OCCUPATIONAL THERAPISTS TO CON-**  
2 **DUCT THE INITIAL ASSESSMENT VISIT AND**  
3 **COMPLETE THE COMPREHENSIVE ASSESS-**  
4 **MENT UNDER A MEDICARE HOME HEALTH**  
5 **PLAN OF CARE FOR CERTAIN REHABILITA-**  
6 **TION CASES.**

7 (a) IN GENERAL.—Notwithstanding section  
8 484.55(a)(2) or 484.55(b)(3) of title 42, Code of Federal  
9 Regulations, or any other provision of law, an occupational  
10 therapist may be designated to conduct the initial assess-  
11 ment visit and to complete the comprehensive assessment  
12 for an individual who is eligible for home health services  
13 under title XVIII of the Social Security Act if the referral  
14 order by the physician—

- 15 (1) does not include skilled nursing care;  
16 (2) includes occupational therapy; and  
17 (3) includes physical therapy or speech lan-  
18 guage pathology.

19 (b) RULE OF CONSTRUCTION.—Nothing in sub-  
20 section (a) shall be construed to provide for initial eligi-  
21 bility for coverage of home health services under title  
22 XVIII of the Social Security Act solely on the basis of  
23 a need for occupational therapy.

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