

116TH CONGRESS  
1ST SESSION

# H. R. 3753

To amend title XVIII of the Social Security Act to establish rules for payment for graduate medical education (GME) costs for hospitals that establish a new medical residency training program after hosting resident rotators for short durations.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2019

Mr. GOTTHEIMER (for himself and Mr. PASCRELL) 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 amend title XVIII of the Social Security Act to establish rules for payment for graduate medical education (GME) costs for hospitals that establish a new medical residency training program after hosting resident rotators for short durations.

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 “Supporting Graduate  
5 Medical Education at Community Hospitals Act of 2019”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Graduate Medical Education or “GME”  
4 training programs are of critical importance in de-  
5 veloping the physician workforce.

6 (2) Current caps on GME training programs  
7 under Medicare have been in place since 1997.

8 (3) Hospitals seeking to launch GME training  
9 programs face barriers in establishing physician  
10 training programs in community hospitals.

11 **SEC. 3. MEDICARE GME TREATMENT OF HOSPITALS ESTAB-**  
12 **LISHING NEW MEDICAL RESIDENCY TRAIN-**  
13 **ING PROGRAMS AFTER HOSTING MEDICAL**  
14 **RESIDENT ROTATORS FOR SHORT DURA-**  
15 **TIONS.**

16 (a) REDETERMINATION OF APPROVED FTE RESI-  
17 DENT AMOUNT.—Section 1886(h)(2)(F) of the Social Se-  
18 curity Act (42 U.S.C. 1395ww(h)(2)(F)) is amended—

19 (1) by inserting “(i)” before “In the case of”;  
20 and

21 (2) by adding at the end the following:

22 “(ii) In applying this subparagraph to a  
23 hospital that has not entered into a GME affili-  
24 ation agreement (as defined by the Secretary  
25 for purposes of paragraph (4)(H)(ii)), the Sec-  
26 retary shall not provide for the establishment of

1 an FTE resident amount until such time as the  
2 Secretary determines that the hospital has a  
3 medical residency training program that trains  
4 more than 1.0 full-time-equivalent resident in a  
5 cost reporting period.

6 “(iii) In the case of a hospital with an ap-  
7 proved FTE resident amount—

8 “(I) based on the training of less than  
9 1.0 full-time-equivalent resident before Oc-  
10 tober 1, 1997, or

11 “(II) based on the training of no more  
12 than 6.0 full-time-equivalent residents in a  
13 medical residency training program in any  
14 cost reporting period between October 1,  
15 1996 and September 30, 1997 and no  
16 more than 3.0 full-time-equivalent resi-  
17 dents on and after October 1, 1997, or

18 “(III) based on the training of no full-  
19 time-equivalent residents in a medical resi-  
20 dency training program for any twenty  
21 consecutive cost reporting periods begin-  
22 ning on or after October 1, 1997,

23 the Secretary shall provide the hospital an op-  
24 portunity to have a new FTE resident amount  
25 established when the hospital begins training at

1 least 1.0 full-time-equivalent resident (in the  
 2 case of a hospital described in subclauses (I or  
 3 III)) or more than 3.0 full-time-equivalent resi-  
 4 dents (in the case of a hospital described in  
 5 subclause (II)) for cost reporting periods begin-  
 6 ning on or after the date of the enactment of  
 7 this clause and in accordance with the method-  
 8 ology under the rules in effect as of October 1,  
 9 2015.”.

10 (b) REDETERMINATION OF FTE RESIDENT LIMITA-  
 11 TION.—Section 1886(h)(4)(H)(i) of the Social Security  
 12 Act (42 U.S.C. 1395ww(h)(4)(H)(i)) is amended—

13 (1) by inserting “(I)” before “The Secretary”;

14 and

15 (2) by adding at the end the following:

16 “(II) Under this clause the Secretary  
 17 shall not determine an adjustment in the  
 18 limitation applicable to a hospital under  
 19 subparagraph (F) until the hospital trains  
 20 more than 1.0 full-time-equivalent resident  
 21 in a new medical residency training pro-  
 22 gram in a cost reporting period.

23 “(III) In the case of a hospital that  
 24 has a limitation under subparagraph (F) of  
 25 less than 1.0 full-time-equivalent resident

1 as of the date of the enactment of this sub-  
2 clause based on training before October 1,  
3 1997, under this clause the Secretary shall  
4 provide the hospital an opportunity to have  
5 a new adjustment in such limitation deter-  
6 mined when such hospital begins training  
7 at least 1.0 full-time-equivalent resident in  
8 accordance with the methodology applica-  
9 ble to hospitals under the rules in effect as  
10 of October 1, 2015, and applied for cost  
11 reporting periods beginning on or after the  
12 date of the enactment of this subclause.

13 “(IV) In the case of a hospital that  
14 has not reported full-time-equivalent resi-  
15 dents in twenty consecutive cost reporting  
16 periods subsequent to October 1, 1997,  
17 under this clause the Secretary shall pro-  
18 vide the hospital an opportunity to have a  
19 new adjustment in such limitation deter-  
20 mined when such hospital begins training  
21 at least 1.0 full-time-equivalent resident in  
22 accordance with the methodology applica-  
23 ble to hospitals under the rules in effect as  
24 of October 1, 2015, and applied for cost

1 reporting periods beginning on or after the  
2 date of the enactment of this subclause.

3 “(V) In the case of a hospital for  
4 which an adjustment in the limitation ap-  
5 plicable to a hospital under subparagraph  
6 (F) is based on the training of no more  
7 than 3.0 full-time-equivalent residents in a  
8 medical residency training program in a  
9 cost reporting period beginning on or after  
10 October 1, 1997, and before the date of  
11 the enactment of this subclause, the Sec-  
12 retary shall provide the hospital an oppor-  
13 tunity to have a new adjustment in such  
14 limitation determined when the hospital be-  
15 gins training more than 3.0 full-time-  
16 equivalent residents in accordance with the  
17 methodology applicable to hospitals under  
18 the rules in effect as of October 1, 2015,  
19 and applied for cost reporting periods be-  
20 ginning on or after the date of the enact-  
21 ment of this subclause.”.

22 (c) EFFECTIVE DATE.—The amendments made by  
23 this section shall apply to payment under section 1886 of  
24 the Social Security Act (42 U.S.C. 1395ww) for cost re-

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

