

117TH CONGRESS  
2D SESSION

# S. 2834

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## AN ACT

To amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Dr. Joanne Smith Me-  
3 morial Rehabilitation Innovation Centers Act of 2022”.

**4 SEC. 2. PRESERVING ACCESS TO REHABILITATION INNOVA-  
5 TION CENTERS UNDER MEDICARE.**

6 (a) IN GENERAL.—Section 1886(j)(7)(E) of the So-  
7 cial Security Act (42 U.S.C. 1395ww(j)(7)(E)) is amend-  
8 ed—

9 (1) by striking “PUBLIC AVAILABILITY OF DATA  
10 SUBMITTED.—The” and inserting “PUBLIC AVAIL-  
11 ABILITY OF DATA SUBMITTED.—

12 “(i) IN GENERAL.—The”; and

13 (2) by inserting after clause (i), as redesignated  
14 by paragraph (1), the following new clauses:

15 “(ii) PUBLIC RECOGNITION OF REHA-  
16 BILITATION INNOVATION CENTERS.—Be-  
17 ginning not later than 18 months after the  
18 date of the enactment of this clause, the  
19 Secretary shall make publicly available on  
20 such Internet website, in addition to the  
21 information required to be reported on  
22 such website under clause (i), a list of all  
23 rehabilitation innovation centers, and shall  
24 update such list on such website not less  
25 frequently than biennially.

1                             “(iii) REHABILITATION INNOVATION  
2                             CENTERS DEFINED.—For purposes of  
3                             clause (ii), the term ‘rehabilitation innova-  
4                             tion centers’ means a rehabilitation facility  
5                             that, as of the applicable date (as defined  
6                             in clause (v)), is a rehabilitation facility  
7                             described in clause (iv).

8                             “(iv) REHABILITATION FACILITY DE-  
9                             SCRIBED.—

10                             “(I) IN GENERAL.—Subject to  
11                             subclause (II), a rehabilitation facility  
12                             described in this clause is a rehabilita-  
13                             tion facility that—

14                             “(aa) is classified as a reha-  
15                             bilitation facility under the IRF  
16                             Rate Setting File for the Inpa-  
17                             tient Rehabilitation Facility Pro-  
18                             spective Payment System for  
19                             Federal Fiscal Year 2019 (83  
20                             Fed. Reg. 38514), or any suc-  
21                             cessor regulations that contain  
22                             such information;

23                             “(bb) holds at least one  
24                             Federal rehabilitation research  
25                             and training designation for re-

1 search projects on traumatic  
2 brain injury or spinal cord injury  
3 from the National Institute on  
4 Disability, Independent Living,  
5 and Rehabilitation Research at  
6 the Department of Health and  
7 Human Services, based on such  
8 data submitted to the Secretary  
9 by a facility, in a form, manner,  
10 and time frame specified by the  
11 Secretary;

12 “(cc) submits to the Sec-  
13 retary a description of the clin-  
14 ical research enterprise of the fa-  
15 cility and a summary of research  
16 activities of the facility that are  
17 supported by Federal agencies;

18 “(dd) has a minimum Medi-  
19 care estimated average weight  
20 per discharge of 1.20 for the  
21 most recent fiscal year for which  
22 such information is available ac-  
23 cording to the IRF Rate Setting  
24 File described in item (aa), or

any successor regulations that contain such information; and  
“(ee) has a minimum teaching status of 0.075 for the most recent fiscal year for which such information is available according to the IRF Rate Setting File described in item (aa), or any successor regulations that contain such information.

1 that is not more than one year prior  
2 to the date of such publication.

13 (b) REPORT.—Not later than 3 years after the date  
14 of the enactment of this Act, the Secretary of Health and  
15 Human Services—

22 (2) may, in the report described in paragraph  
23 (1), as permitted by law, disseminate research, best  
24 practices, and other clinical information identified or

1       developed by such rehabilitation innovation centers,  
2       as determined appropriate by the Secretary.

Passed the Senate December 8, 2022.

Attest:

*Secretary.*

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