

118TH CONGRESS
2D SESSION

H. R. 8576

To amend title XVIII of the Social Security Act to establish a new criterion for the nonapplication of site-neutral payments to long-term care hospitals under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2024

Mr. HERN introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title XVIII of the Social Security Act to establish a new criterion for the nonapplication of site-neutral payments to long-term care hospitals 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing Access to
5 Care for Seniors in Critical Condition Act of 2024”.

1 **SEC. 2. ESTABLISHING A NEW CRITERION FOR THE NON-**
 2 **APPLICATION OF SITE-NEUTRAL PAYMENTS**
 3 **TO LONG-TERM CARE HOSPITALS UNDER**
 4 **THE MEDICARE PROGRAM.**

5 Section 1886(m)(6)(A) of the Social Security Act (42
 6 U.S.C. 1395ww(m)(6)(A)) is amended—

7 (1) in clause (ii)(I), by striking “or the venti-
 8 lator criterion under clause (iv)” and inserting “, the
 9 ventilator criterion under clause (iv), or the high
 10 acuity criterion described in clause (v)”;

11 (2) by adding at the end the following new
 12 clause:

13 “(v) HIGH ACUITY CRITERION.—The
 14 criterion specified in this clause (in this
 15 paragraph referred to as the ‘high acuity
 16 criterion’) for a discharge from a long-term
 17 care hospital in a fiscal year is that—

18 “(I) the discharge was assigned
 19 to a Medicare-Severity-Long-Term-
 20 Care-Diagnosis-Related-Group (MS-
 21 LTC-DRG) with a relative weight for
 22 such fiscal year that was equal to or
 23 greater than 0.8; and

24 “(II) the discharge occurred on
 25 or after October 1, 2025.”.