

119TH CONGRESS  
1ST SESSION

# H. R. 5142

To amend title XVIII of the Social Security Act to ensure stability in payments to home health agencies under the Medicare program.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 4, 2025

Mr. HERN of Oklahoma (for himself and Ms. SEWELL) 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 ensure stability in payments to home health agencies 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 “Home Health Sta-  
5 bilization Act of 2025”.

1 **SEC. 2. ENSURING BENEFICIARY ACCESS TO MEDICARE**  
2 **HOME HEALTH SERVICES.**

3 (a) DELAYING ADJUSTMENTS.—Section  
4 1895(b)(3)(D) of the Social Security Act (42 U.S.C.  
5 1395fff(b)(3)(D)) is amended by adding at the end the  
6 following new clauses:

7 “(iv) SPECIAL RULE FOR 2026 AND  
8 2027.—For 2026 and 2027, the Secretary  
9 shall provide for a positive adjustment to  
10 the standard prospective payment amount  
11 to fully offset the –4.059 percent Perma-  
12 nent Adjustment Factor and the –5.0 per-  
13 cent Temporary Adjustment Factor ap-  
14 plied to the calendar year 2026 national,  
15 standardized 30-day period payment rate  
16 in the proposed rule entitled, ‘Medicare  
17 and Medicaid Programs; Calendar Year  
18 2026 Home Health Prospective Payment  
19 System (HH PPS) Rate Update; Require-  
20 ments for the HH Quality Reporting Pro-  
21 gram and the HH Value-Based Purchasing  
22 Expanded Model; Durable Medical Equip-  
23 ment, Prosthetics, Orthotics, and Supplies  
24 (DMEPOS) Competitive Bidding Program  
25 Updates; DMEPOS Accreditation Require-  
26 ments; Provider Enrollment; and Other

1 Medicare and Medicaid Policies’ published  
2 in the Federal Register on July 2, 2025  
3 (90 Fed. Reg. 29108). Notwithstanding  
4 any other provision of law, the Secretary  
5 may implement this clause by program in-  
6 struction or otherwise.

7 “(v) SPECIAL RULE FOR 2026 AND  
8 2027.—For 2026 and 2027, the Secretary  
9 shall establish the national, standardized  
10 30-day period payment rate based on the  
11 2025 rate, taking into account the adjust-  
12 ment under clause (iv) and updated based  
13 on all other provisions of this section, ex-  
14 cept that such rate for 2026 or 2027 shall  
15 not be further adjusted based on clause (ii)  
16 or clause (iii).

17 “(vi) EXCEPTION.—In determining  
18 actual expenditures under clause (i) for  
19 2026 and 2027 the Secretary shall exclude  
20 the additional amounts paid as a result of  
21 clauses (iv) and (v), and no adjustments  
22 under clause (ii) or clause (iii) shall be  
23 made to offset for such amounts.”.

24 (b) CONSTRUCTION.—Nothing in this section shall be  
25 construed as signifying congressional approval or dis-

1 approval of the methodology promulgated by the Secretary  
2 to implement section 1895(b)(3)(D) of the Social Security  
3 Act in the final rule entitled, “Medicare Program; Cal-  
4 endar Year (CY) 2023 Home Health Prospective Payment  
5 System Rate Update; Home Health Quality Reporting  
6 Program Requirements; Home Health Value-Based Pur-  
7 chasing Expanded Model Requirements; and Home Infu-  
8 sion Therapy Services Requirements” published in the  
9 Federal Register on November 4, 2022 (87 Fed. Reg.  
10 66790).

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