

103^D CONGRESS
1ST SESSION

H. R. 1614

To amend title XIX of the Social Security Act with respect to requiring State plans for appropriately responding to the closing of hospitals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1993

Mrs. COLLINS of Illinois introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act with respect to requiring State plans for appropriately responding to the closing of hospitals, and for other purposes.

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 “Hospital Closings
5 Community Relief Act of 1993”.

1 **SEC. 2. REQUIREMENT UNDER MEDICAID PROGRAM OF**
2 **STATE PLAN FOR APPROPRIATELY RESPOND-**
3 **ING TO CLOSING OF HOSPITALS.**

4 Section 1902 of the Social Security Act (42 U.S.C.
5 1396a) is amended by adding at the end the following new
6 subsection:

7 “(z)(1) For fiscal year 1995 and subsequent fiscal
8 years, the Secretary may not approve a State plan for
9 medical assistance unless—

10 “(A) the State has implemented a plan that, in
11 the event of the closing of any hospital in the State,
12 provides for appropriately responding to the result-
13 ing diminishment in the availability of health serv-
14 ices in the geographic area involved;

15 “(B) with respect to the plan required in sub-
16 paragraph (A), the plan requires that—

17 “(i) any hospital in the State making a de-
18 cision to close inform the State of such decision
19 not later than 1 day after the decision is made;

20 “(ii) the State provide for appropriate con-
21 fidentiality with respect to such decision;

22 “(iii) for the purpose of storing the medi-
23 cal records of the hospital, the records be trans-
24 ferred to the custody of an appropriate private
25 entity selected by the hospital, subject to the
26 approval of the State;

1 “(iv) the custodian of the medical records
2 maintain appropriate confidentiality with re-
3 spect to the records, and organize the records
4 in a manner sufficient to ensure that the
5 records concerning any particular individual can
6 be retrieved expeditiously;

7 “(v) the medical records concerning an in-
8 dividual be made available to a health care pro-
9 fessional upon the request of the individual;

10 “(vi) the principal geographic area served
11 by the hospital be identified; and

12 “(vii) not later than 30 days after the hos-
13 pital is closed, the residents of such geographic
14 area be informed, to the extent practicable, of
15 the fact of the closing, of alternative sources of
16 health care, and of the fact that the medical
17 records of the hospital have been stored and are
18 available with respect to future health care;

19 “(C) the plan under subparagraph (A) specifies
20 the details of the manner in which the requirements
21 established in subparagraph (B) will be met;

22 “(D) with respect to such requirements, the
23 plan under subparagraph (A) satisfies such addi-
24 tional criteria as the Secretary may establish; and

