

Union Calendar No. 21

105TH CONGRESS
1ST SESSION

H. R. 968

[Report No. 105-23, Parts I and II]

To amend title XVIII and XIX of the Social Security Act to permit a waiver of the prohibition of offering nurse aide training and competency evaluation programs in certain nursing facilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1997

Mr. EHRLICH (for himself, Mr. BURR of North Carolina, and Mr. MINGE) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on 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

MARCH 13, 1997

Reported from the Committee on Ways and Means with amendments

[Omit the part struck through and insert the part printed in *italic*]

MARCH 13, 1997

Referral to the Committee on Commerce extended for a period ending not later than March 18, 1997

MARCH 18, 1997

Reported from the Committee on Commerce with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend title XVIII and XIX of the Social Security Act to permit a waiver of the prohibition of offering nurse aide training and competency evaluation programs in certain nursing facilities.

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. PERMITTING WAIVER OF PROHIBITION OF OF-**
 4 **FERING NURSE AIDE TRAINING AND COM-**
 5 **PETENCY EVALUATION PROGRAMS IN CER-**
 6 **TAIN FACILITIES.**

7 Section 1819(f)(2) of the Social Security Act (42
 8 U.S.C. 1395i–3(f)(2)) and section 1919(f)(2) of such Act
 9 (42 U.S.C. 1396r(f)(2)) are each amended—

10 (1) in subparagraph (B)(iii), by inserting “sub-
 11 ject to subparagraph (C),” after “(iii)”; and

12 (2) by adding at the end the following new sub-
 13 paragraph:

14 “(C) WAIVER AUTHORIZED.—Clause ~~(iii)~~
 15 ~~(iii)(I)~~ of subparagraph (B) shall not apply to
 16 a program offered in (but not by) a nursing fa-
 17 cility *(or skilled nursing facility for purposes of*
 18 *title XVIII)* in a State if the State—

19 “(i) determines that there is no other
 20 such program offered within a reasonable
 21 distance of the facility,

1 “(ii) assures, through an oversight ef-
2 fort, that an adequate environment exists
3 for operating the program in the facility,
4 and

5 “(iii) provides notice of such deter-
6 mination and assurances to the State long-
7 term care ombudsman.”.

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