

106TH CONGRESS
2D SESSION

H. R. 5303

To amend title XVIII of the Social Security Act to clarify the definition of homebound under the medicare home health benefit.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2000

Mr. MARKEY (for himself and Mr. SMITH of New Jersey) 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

A BILL

To amend title XVIII of the Social Security Act to clarify the definition of homebound under the medicare home health benefit.

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 “The Home Health
5 Care Protection Act of 2000”.

1 **SEC. 2. CLARIFICATION OF THE HOMEBOUND DEFINITION**
2 **UNDER THE MEDICARE HOME HEALTH BEN-**
3 **EFIT.**

4 (a) IN GENERAL.—Sections 1814(a) and 1835(a) (42
5 U.S.C. 1395f(a) and 1395n(a)) are each amended—

6 (1) in the last sentence, by striking “, and that
7 absences of the individual from home are infrequent
8 or of relatively short duration, or are attributable to
9 the need to receive medical treatment”; and

10 (2) by adding at the end the following new sen-
11 tences: “Any absence of an individual from the home
12 attributable to the need to receive health care treat-
13 ment, including regular absences for the purpose of
14 participating in therapeutic, psychosocial, or medical
15 treatment in an adult day-care program that is li-
16 censed or certified by a State, or accredited to fur-
17 nish adult day-care services in the State shall not
18 disqualify an individual from being considered to be
19 ‘confined to his home’. Any other absence of an indi-
20 vidual from the home shall not so disqualify an indi-
21 vidual if the absence is of infrequent or short dura-
22 tion. For purposes of the preceding sentence, any
23 absence for the purpose of visiting a family member
24 who is unable to visit the individual or for the pur-
25 pose of attending a religious service shall be deemed
26 to be an absence of infrequent and short duration.”.

1 (b) **EFFECTIVE DATE.**—The amendments made by
2 subsection (a) shall apply to items and services provided
3 on or after the date of enactment of this Act.

○