

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2992

To amend title XVIII of the Social Security Act to reimburse essential access home health providers for the reasonable costs of providing home health services in rural areas.

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## IN THE SENATE OF THE UNITED STATES

JULY 27, 2000

Mr. BAUCUS introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to reimburse essential access home health providers for the reasonable costs of providing home health services in rural areas.

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 “Restoring Essential  
5 Access to Care in the Home (REACH) Act of 2000”.

1 **SEC. 2. REIMBURSEMENT FOR HOME HEALTH SERVICES**  
 2 **FURNISHED BY ESSENTIAL ACCESS HOME**  
 3 **HEALTH PROVIDERS.**

4 (a) EXEMPTION FROM HOME HEALTH INTERIM  
 5 PAYMENT SYSTEM.—Section 1861(v)(1)(L) of the Social  
 6 Security Act (42 U.S.C. 1395x(v)(1)(L)) is amended by  
 7 adding at the end the following new clause:

8 “(xi) The preceding provisions of this subparagraph  
 9 shall not apply to home health services that are furnished  
 10 on or after October 1, 2000, by an essential access home  
 11 health provider (as defined in section 1861(uu)).”.

12 (b) EXEMPTION FROM HOME HEALTH PROSPECTIVE  
 13 PAYMENT SYSTEM.—

14 (1) IN GENERAL.—Section 1895 of the Social  
 15 Security Act (42 U.S.C. 1395fff) is amended by  
 16 adding at the end the following new subsection:

17 “(e) EXEMPTION.—The prospective payment system  
 18 established under this section shall not apply in deter-  
 19 mining payments for home health services furnished by  
 20 an essential access home health provider (as defined in  
 21 section 1861(uu)).”.

22 (2) CONFORMING AMENDMENT.—Section  
 23 1833(a)(2)(A) of the Social Security Act (42 U.S.C.  
 24 1395(a)(2)(A)) is amended by inserting “home  
 25 health services described in section 1895(e) and  
 26 other than” after “other than”.

1           (3)       TECHNICAL        AMENDMENT.—Section  
2       1833(a)(2)(A) of the Social Security Act (42 U.S.C.  
3       1395(a)(2)(A)) is amended by striking “drug) (as  
4       defined in section 1861(kk))” and inserting “drug  
5       (as defined in section 1861(kk))”.

6           (4) EFFECTIVE DATE.—The amendments made  
7       by this subsection shall apply to cost reporting peri-  
8       ods beginning on or after October 1, 2000.

9           (c) ESSENTIAL ACCESS HOME HEALTH PROVIDER  
10       DEFINED.—Section 1861 of the Social Security Act (42  
11       U.S.C. 1395x) is amended by adding at the end the fol-  
12       lowing new subsection:

13           “Essential Access Home Health Provider  
14       “(uu) The term ‘essential access home health pro-  
15       vider’ means a home health agency (as defined in sub-  
16       section (o)) that is—

17           “(1) the only home health agency serving a lo-  
18       cality;

19           “(2) a provider of home health services with an  
20       agreement for the provision of such services under  
21       the State medicaid program under title XIX; and

22           “(3)(A) owned and operated by a critical access  
23       hospital, a rural health clinic, a Federally qualified  
24       health center, a public health department, or a rural  
25       hospital that has less than 50 beds; or

1           “(B) recognized by a State as an essential pro-  
2           vider of home health services to a rural population  
3           within a defined area.”.

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