

106TH CONGRESS  
2D SESSION

# S. 3037

To amend title XVIII of the Social Security Act to increase payments under the medicare program to Puerto Rico hospitals.

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2000

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

---

## A BILL

To amend title XVIII of the Social Security Act to increase payments under the medicare program to Puerto Rico hospitals.

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 “Medicare Puerto Rico  
5 Hospital Payment Parity Act of 2000”.

6 **SEC. 2. INCREASE IN BASE PAYMENT AMOUNTS TO PUERTO**  
7 **RICO HOSPITALS.**

8 Section 1886(d)(9)(A) (42 U.S.C. 1395ww(d)(9)(A))  
9 is amended—

1           (1) in clause (i), by striking “October 1, 1997,  
2           50 percent (” and inserting “October 1, 2001, 0  
3           percent (for discharges between October 1, 2000,  
4           and September 30, 2001, 25 percent, for discharges  
5           between October 1, 1997, and September 30, 2000,  
6           50 percent,”; and

7           (2) in clause (ii), in the matter preceding sub-  
8           clause (I), by striking “October 1, 1997, 50 percent  
9           (” and inserting “October 1, 2001, 100 percent (for  
10          discharges between October 1, 2000, and September  
11          30, 2001, 75 percent, for discharges between Octo-  
12          ber 1, 1997, and September 30, 2000, 50 percent,”.

13 **SEC. 3. CALCULATION OF MEDICARE DSH PAYMENTS FOR**  
14 **PPS HOSPITALS IN PUERTO RICO.**

15          (a) IN GENERAL.—Section 1886(d)(9) of the Social  
16 Security Act (42 U.S.C. 1395ww(d)(9)) is amended—

17           (1) by striking subparagraph (D)(iii) and in-  
18           serting the following:

19           “(iii) Subparagraph (F) (relating to dispropor-  
20           tionate share payments), except that for this  
21           purpose—

22           “(I) the sum described in clause (ii) of this  
23           subparagraph shall be substituted for the sum  
24           referred to in paragraph (5)(F)(ii)(I); and

1           “(II) the number of a subsection (d) Puer-  
2           to Rico hospital’s SSI proxy patient days (as  
3           defined in subparagraph (E)) shall be sub-  
4           stituted for the numerator referred to in para-  
5           graph (5)(F)(vi)(I).”;

6           (2) by adding at the end the following new sub-  
7           paragraph:

8           “(E)(i) For purposes of subparagraph (D)(iii)(II),  
9           the term ‘subsection (d) Puerto Rico hospital’s SSI proxy  
10          patient days’ means the product obtained by multiplying—

11           “(I) the SSI proxy percentage (as defined in  
12          clause (ii)); by

13           “(II) the total number of the hospital’s patient  
14          days for such period.

15          “(ii) For purposes of clause (i)(I), the term ‘SSI  
16          proxy percentage’ means, with respect to all subsection (d)  
17          Puerto Rico hospitals for cost reporting periods beginning  
18          in a fiscal year, the unweighted average of the fractions  
19          (expressed as percentages) determined under paragraph  
20          (5)(F)(vi)(I) for all subsection (d) hospitals in the income-  
21          equivalent proxy State (as defined in clause (iii)) for the  
22          most recent cost reporting period for which adequate data  
23          are available (other than hospitals for which such fraction  
24          or percentage is zero).

1       “(iii) For purposes of clause (ii), the term ‘income-  
2 equivalent proxy State’ means, for cost reporting periods  
3 beginning in a fiscal year, the State (other than a State  
4 for which title XVI as in effect without regard to the  
5 amendment made by section 301 of the Social Security  
6 Amendments of 1972 continues to apply) the per capita  
7 income of which most closely approximates the per capita  
8 income of Puerto Rico (as determined by the Secretary  
9 based on the most recent period for which adequate data  
10 are available).”.

11       (b) EFFECTIVE DATE.—The amendments made by  
12 subsection (a) shall apply to discharges occurring on or  
13 after October 1, 2000.

○