

107TH CONGRESS
1ST SESSION

S. 1840

To amend title XVIII of the Social Security Act to remove the 20 percent inpatient limitation under the medicare program on the proportion of hospice care that certain rural hospice programs may provide.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2001

Mr. COCHRAN 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 remove the 20 percent inpatient limitation under the medicare program on the proportion of hospice care that certain rural hospice programs may provide.

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 “Rural Communities
5 Hospice Care Access Improvement Act of 2001”.

1 **SEC. 2. EXCEPTION TO MEDICARE 20 PERCENT INPATIENT**
2 **CARE LIMITATION FOR CERTAIN RURAL HOS-**
3 **PICE PROGRAMS.**

4 (a) IN GENERAL.—Section 1861(dd) of the Social Se-
5 curity Act (42 U.S.C. 1395x(dd)) is amended—

6 (1) in paragraph (2)(A)(iii), by inserting “sub-
7 ject to paragraph (6),” after “(iii)”;

8 (2) by adding at the end the following new
9 paragraph:

10 “(6) The requirement of paragraph (2)(A)(iii) (relat-
11 ing to a limitation on the proportion of hospice care pro-
12 vided in an inpatient setting) shall not apply in the case
13 of a hospice program that meets the following require-
14 ments:

15 “(A) The hospice program is a non-profit orga-
16 nization, provides a residence for individuals who do
17 not have a primary caregiver available at home, is
18 located in a rural area (as defined in section
19 1886(d)(2)(D)), is not certified for purposes of this
20 title to provide other than hospice care, and is not
21 affiliated with any organization that provides a type
22 of care other than hospice care.

23 “(B) The residence has not more than 20 beds.

24 “(C) The residence offers all other categories of
25 hospice care, including continuous home care, respite

1 care, and general patient care, for individuals who
2 qualify to receive such care.”.

3 (b) MAINTAINING PAYMENT RATES FOR ROUTINE
4 CARE.—Section 1814(a) of such Act (42 U.S.C. 1395f(a))
5 is amended—

6 (1) by redesignating paragraph (3) as para-
7 graph (4); and

8 (2) by inserting after paragraph (2) the fol-
9 lowing new paragraph:

10 “(3)(A) With respect to a care provided under a hos-
11 pice program described in section 1861(dd)(6) that meets
12 the requirements of that section, payment for routine care
13 and other services included in hospice care furnished
14 under such program shall be made at the rate applicable
15 under this subsection for routine home care and other
16 services included in hospice care.

17 “(B) For purposes of determining payment amounts
18 under subparagraph (A) with respect to routine and con-
19 tinuous care, the residence described in section
20 1861(dd)(6) is deemed to be the home of the individual
21 receiving hospice care.”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to hospice care provided on or after
24 the date of the enactment of this Act.

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