

109TH CONGRESS  
1ST SESSION

# S. 2071

To amend title XVIII of the Social Security Act to clarify congressional intent regarding the counting of residents in a nonhospital setting under the medicare program.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2005

Ms. SNOWE (for herself, Mr. BINGAMAN, Ms. COLLINS, Mr. DORGAN, and Mr. ROCKEFELLER) 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 clarify congressional intent regarding the counting of residents in a nonhospital setting under the medicare program.

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 “Community and Rural  
5 Medical Residency Preservation Act of 2005”.

1 **SEC. 2. CLARIFICATION OF CONGRESSIONAL INTENT RE-**  
2 **GARDING THE COUNTING OF RESIDENTS IN A**  
3 **NONHOSPITAL SETTING.**

4 (a) D-GME.—Section 1886(h)(4)(E) (42 U.S.C.  
5 1395ww(h)(4)(E)) is amended by adding at the end the  
6 following new sentences: “For purposes of the preceding  
7 sentence, the term ‘all, or substantially all, of the costs  
8 for the training program’ means the stipends and benefits  
9 provided to the resident and other amounts, if any, as de-  
10 termined by the hospital and the entity operating the non-  
11 hospital setting. The hospital is not required to pay the  
12 entity any amounts other than those determined by the  
13 hospital and the entity in order for the hospital to be con-  
14 sidered to have incurred all, or substantially all, of the  
15 costs for the training program in that setting.”.

16 (b) IME.—Section 1886(d)(5)(B)(iv) (42 U.S.C.  
17 1395ww(d)(5)(B)(iv)) is amended by adding at the end  
18 the following new sentences: “For purposes of the pre-  
19 ceding sentence, the term ‘all, or substantially all, of the  
20 costs for the training program’ means the stipends and  
21 benefits provided to the resident and other amounts, if  
22 any, as determined by the hospital and the entity oper-  
23 ating the nonhospital setting. The hospital is not required  
24 to pay the entity any amounts other than those deter-  
25 mined by the hospital and the entity in order for the hos-

1 pital to be considered to have incurred all, or substantially  
2 all, of the costs for the training program in that setting.”.

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall take effect on January 1, 2005.

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