

110TH CONGRESS  
1ST SESSION

# H. R. 117

To amend title XVIII of the Social Security Act to provide for a permanent hold harmless provision for sole community hospitals under the Medicare prospective payment system for covered outpatient department services.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mrs. JO ANN DAVIS of Virginia introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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

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## A BILL

To amend title XVIII of the Social Security Act to provide for a permanent hold harmless provision for sole community hospitals under the Medicare prospective payment system for covered outpatient department services.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PERMANENT HOLD HARMLESS FOR SOLE COM-**  
2 **MUNITY HOSPITALS UNDER THE MEDICARE**  
3 **PROSPECTIVE PAYMENT SYSTEM FOR HOS-**  
4 **PITAL OUTPATIENT DEPARTMENT SERVICES.**

5 (a) **IN GENERAL.**—Section 1833(t)(7)(D) of the So-  
6 cial Security Act (42 U.S.C. 1395l(t)(7)(D)) is amended  
7 by adding at the end the following new clause:

8 “(iii) **PERMANENT HOLD HARMLESS**  
9 **FOR SOLE COMMUNITY HOSPITALS.**—In the  
10 case of a sole community hospital (as de-  
11 fined in section 1886(d)(5)(D)(iii)), for  
12 covered OPD services furnished after De-  
13 cember 31, 2005, for which the PPS  
14 amount is less than the pre-BBA amount,  
15 the amount of payment under this sub-  
16 section shall be increased by the amount of  
17 such difference.”.

18 (b) **EFFECTIVE DATE.**—The amendment made by  
19 subsection (a) shall apply with respect to payment for  
20 OPD services furnished on and after January 1, 2008.

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