

117TH CONGRESS
1ST SESSION

H. R. 5503

To amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2021

Ms. SCHAKOWSKY (for herself, Mr. DANNY K. DAVIS of Illinois, Ms. NEWMAN, and Ms. ROYBAL-ALLARD) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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

A BILL

To amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers 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 “Dr. Joanne Smith Me-
5 morial Rehabilitation Innovation Centers Act”.

1 **SEC. 2. PRESERVING ACCESS TO REHABILITATION INNOVA-**
2 **TION CENTERS UNDER MEDICARE.**

3 Section 1886(j)(7)(E) of the Social Security Act (42
4 U.S.C. 1395ww(j)(7)(E)) is amended—

5 (1) by striking “PUBLIC AVAILABILITY OF DATA
6 SUBMITTED.—The” and inserting: “PUBLIC AVAIL-
7 ABILITY OF DATA SUBMITTED.—

8 “(i) IN GENERAL.—The”.

9 (2) by inserting after clause (i), as redesignated
10 by paragraph (1), the following new clauses:

11 “(ii) PUBLIC RECOGNITION OF REHA-
12 BILITATION INNOVATION CENTERS.—Be-
13 ginning not later than one year after the
14 date of the enactment of this clause, the
15 Secretary shall make publicly available on
16 such Internet website, in addition to the
17 information required to be reported on
18 such website under clause (i), a list of all
19 rehabilitation innovation centers, and shall
20 update such list on such website not less
21 frequently than biennially. In carrying out
22 the activities under this clause, the Sec-
23 retary shall disseminate research, best
24 practices, and other clinical information
25 identified or developed by such rehabilita-
26 tion innovation centers to, as appropriate,

1 Federal agencies, hospitals, health profes-
2 sional organizations, and national and
3 State accreditation bodies.

4 “(iii) REHABILITATION INNOVATION
5 CENTERS DEFINED.—For purposes of
6 clause (ii), the term ‘rehabilitation innova-
7 tion centers’ means a rehabilitation facility
8 that, as of the applicable date (as defined
9 in clause (v)), is a rehabilitation facility
10 described in clause (iv).

11 “(iv) REHABILITATION FACILITY DE-
12 SCRIBED.—A rehabilitation facility de-
13 scribed in this clause is a rehabilitation fa-
14 cility that—

15 “(I) is classified as a rehabilita-
16 tion facility under the IRF Rate Set-
17 ting File for the Inpatient Rehabilita-
18 tion Facility Prospective Payment
19 System for Federal Fiscal Year 2019
20 (83 Fed. Reg. 38514), or any suc-
21 cessor regulations that contain such
22 information;

23 “(II) holds, as of the applicable
24 date at least one Federal rehabilita-
25 tion research and training designation

1 for research projects on traumatic
2 brain injury or spinal cord injury
3 from the National Institute on Dis-
4 ability, Independent Living and Reha-
5 bilitation Research at the Department
6 of Health and Human Services, based
7 on such data submitted to the Sec-
8 retary by a facility, in a form, man-
9 ner, and time frame specified by the
10 Secretary;

11 “(III) submits to the Secretary a
12 description of the clinical research en-
13 terprise of the facility and a summary
14 of research activities of the facility
15 that are supported by Federal agen-
16 cies;

17 “(IV) has a minimum Medicare
18 estimated weight per discharge of
19 1.20 for the most recent fiscal year
20 for which such information is avail-
21 able according to the IRF Rate Set-
22 ting File described in subclause (I), or
23 any successor regulations that contain
24 such information; and

1 “(V) has a minimum teaching
2 status of 0.075 for the most recent
3 fiscal year for which such information
4 is available according to the IRF Rate
5 Setting File described in subclause
6 (I), or any successor regulations that
7 contain such information.

8 “(v) APPLICABLE DATE DEFINED.—
9 For purposes of clauses (iii) and (iv) the
10 term ‘applicable date’ means—

11 “(I) with respect to the initial
12 publication of a list under clause (ii),
13 the date of the enactment of such
14 clause; and

15 “(II) with respect to the publica-
16 tion of an updated list under clause
17 (ii), a date specified by the Secretary
18 that is not more than 1 year prior to
19 the date of such publication.

20 “(vi) IMPLEMENTATION.—Notwith-
21 standing any other provision of law the
22 Secretary may implement clauses (ii)
23 through (v) by program instruction or oth-
24 erwise.

1 “(vii) NONAPPLICATION OF PAPER-
2 WORK REDUCTION ACT.—Chapter 35 of
3 title 44, United States Code, shall not
4 apply to data collected under clauses (ii)
5 through (iv).

6 “(viii) REPORT.—Not later than
7 March 15, 2022, the Secretary of Health
8 and Human Services shall submit to Con-
9 gress a report with any recommendations
10 for such legislation and administrative ac-
11 tion as the Secretary determines appro-
12 priate to preserve access to the rehabilita-
13 tion innovation centers (as defined in
14 clause (iii)).”.

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