

117TH CONGRESS
2D SESSION

H. R. 8580

To amend the Coronavirus Aid, Relief, and Economic Security Act to provide for a 12-month extension of the Medicare long-term care hospital waiver of the site-neutral IPPS payment rate.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2022

Ms. SEWELL (for herself and Mr. SMITH of Missouri) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Coronavirus Aid, Relief, and Economic Security Act to provide for a 12-month extension of the Medicare long-term care hospital waiver of the site-neutral IPPS payment rate.

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 “The LTCH Access and
5 Stability Act”.

1 **SEC. 2. EXTENSION OF MEDICARE LONG-TERM CARE HOS-**
2 **PITAL WAIVER OF SITE-NEUTRAL IPPS PAY-**
3 **MENT RATE.**

4 (a) IN GENERAL.—Section 3711 of the Coronavirus
5 Aid, Relief, and Economic Security Act (42 U.S.C.
6 1395ww note) is amended—

7 (1) in the section header, by striking “**DURING**
8 **EMERGENCY PERIOD**”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(c) **TWELVE-MONTH CONTINUED APPLICATION OF**
12 **WAIVER OF SITE-NEUTRAL IPPS PAYMENT RATE.**—With
13 respect to inpatient hospital services furnished by a long-
14 term care hospital described in section 1886(d)(1)(B)(iv)
15 of the Social Security Act (42 U.S.C.
16 1395ww(d)(1)(B)(iv)) during the 12-month period begin-
17 ning on the last day of the emergency period described
18 in section 1135(g)(1)(B) of such Act (42 U.S.C. 1320b-
19 5(g)(1)(B)), the Secretary of Health and Human Services
20 shall continue to waive subparagraph (A)(i) of section
21 1886(m)(6) of such Act (42 U.S.C. 1395ww(m)(6)), relat-
22 ing to the application of the site-neutral payment rate
23 (and payment shall be made to a long-term care hospital
24 without regard to such section) for a discharge, if the ad-
25 mission occurs during such 12-month period.”.

1 (b) REPORT.—Not later than 12 months after the
2 date of the enactment of this Act, the Secretary of Health
3 and Human Services shall submit to Congress a report
4 on the impact of the waiver of section 1886(m)(6)(A)(i)
5 of the Social Security Act (42 U.S.C.
6 1395ww(m)(6)(A)(i)), relating to the application of the
7 site-neutral payment rate, during the emergency period
8 described in section 1135(g)(1)(B) of such Act (42 U.S.C.
9 1320b–5(g)(1)(B)) and the 12-month period following
10 such period pursuant to section 3711(c) of the
11 Coronavirus Aid, Relief, and Economic Security Act (42
12 U.S.C. 1395ww note), as added by subsection (a). The re-
13 port shall—

14 (1) include—

15 (A) information on the access of Medicare
16 beneficiaries (including those enrolled under
17 part C of title XVIII of the Social Security Act)
18 to long term care hospitals;

19 (B) any noticeable trends in admissions to
20 long term care hospitals; and

21 (C) data related to the financial status and
22 facility closures of long term care hospitals dur-
23 ing the period of fiscal years 2017 through
24 2021; and

1 (2) assess the role of post-acute care facilities,
2 including long-term care hospitals, in maintaining
3 Medicare beneficiary access to services during the
4 COVID–19 pandemic and estimate the effect that
5 site-neutral payment policies may have on bene-
6 ficiary access during future pandemic responses.

○