

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.

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

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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