

AMENDMENT TO
RULES COMMITTEE PRINT 116-41
OFFERED BY MR. COURTNEY OF CONNECTICUT

Add at the end of the bill the following new section
(and conform the table of contents accordingly):

1 **SEC. 812. COUNTING A PERIOD OF RECEIPT OF OUT-**
2 **PATIENT OBSERVATION SERVICES IN A HOS-**
3 **PITAL TOWARD THE 3-DAY INPATIENT HOS-**
4 **PITAL STAY REQUIREMENT FOR COVERAGE**
5 **OF SKILLED NURSING FACILITY SERVICES**
6 **UNDER MEDICARE.**

7 (a) IN GENERAL.—Section 1861(i) of the Social Se-
8 curity Act (42 U.S.C. 1395x(i)) is amended by adding at
9 the end the following: “For purposes of this subsection,
10 an individual receiving outpatient observation services
11 shall be deemed to be an inpatient during such period,
12 and the date such individual ceases receiving such services
13 shall be deemed the hospital discharge date (unless such
14 individual is admitted as a hospital inpatient at the end
15 of such period).”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) shall apply to receipt of outpatient observa-
18 tion services beginning on or after January 1, 2020, but

1 applies to a period of post-hospital extended care services
2 that was completed before the date of the enactment of
3 this Act only if an administrative appeal is or has been
4 made with respect to such services not later than 90 days
5 after the date of the enactment of this Act. Notwith-
6 standing any other provision of law, the Secretary of
7 Health and Human Services may implement such amend-
8 ment through an interim final regulation, program in-
9 struction, or otherwise.

