

AMENDMENT TO H.R. 9029, AS REPORTED
OFFERED BY MR. CARL OF ALABAMA

At the end of the bill (before the short title), insert
the following:

1 SEC. _____. Section 1886(d) of the Social Security
2 Act (42 U.S.C. 1395ww(d) is amended—

3 (a) in paragraph (8)—

4 (1) in subparagraph (D), by striking “subpara-
5 graphs (B) and (C)” and inserting “subparagraphs
6 (B), (C), and (F)”;

7 (2) by adding at the end the following new sub-
8 paragraph:

9 “(F)(i) For purposes of payment under
10 this subsection, with respect to discharges oc-
11 curring during the 3-year period beginning on
12 the first day of the first fiscal year that begins
13 not less than 180 days after the date of the re-
14 ceipt of an application (in a form and manner
15 determined by the Secretary) from a low quar-
16 tile wage index hospital described in clause (ii),
17 the Secretary shall apply the same wage index
18 to the low quartile wage index hospital seeking
19 reclassification as is applied to hospitals geo-

1 graphically located in the higher-wage area de-
2 scribed in clause (iii). The Secretary shall make
3 a determination with respect to an application
4 submitted pursuant to the previous sentence not
5 later than 60 days after the date of the receipt
6 of such application.

7 “(ii) For purposes of clause (i), a low
8 quartile wage index hospital described in this
9 clause is a hospital that, at any point during
10 fiscal years 2020 through 2024, or any subse-
11 quent fiscal year as identified by the Secretary,
12 received the lowest quartile wage index adjust-
13 ment (as described in the final rule published
14 on August 16, 2019 (84 Fed. Reg. 42326 et
15 seq.)).

16 “(iii) For purposes of clause (i), a higher-
17 wage area described in this clause is, with re-
18 spect to a low quartile wage index hospital, an
19 area—

20 “(I) that is not more than 50 miles
21 from such hospital; and

22 “(II) for which the wage index prior
23 to any other reclassification under this
24 subsection, or after the application of any
25 applicable limitation under paragraph

1 (3)(E)(iv) or section 4410(a) of the Bal-
2 anced Budget Act of 1997, is higher than
3 the wage index for the area in which such
4 hospital is located (without regard to the
5 application of this subparagraph).”; and

6 (b) in paragraph (10)(D)—

7 (1) in clause (v), by striking “Any decision”
8 and inserting “Subject to clause (viii), any decision”;
9 and

10 (2) by adding at the end the following new
11 clauses:

12 “(vii) Such guidelines shall provide that the Board
13 may not approve an application described in subparagraph
14 (C)(i) submitted by a subsection (d) hospital requesting
15 a change in geographic classification for a fiscal year be-
16 ginning on or after the date of the enactment of this
17 clause, if such hospital is treated as being located in a
18 higher-wage area under paragraph (8)(F) for such fiscal
19 year.

20 “(viii) With respect to a fiscal year beginning on or
21 after the date of the enactment of this clause, no change
22 in the geographic classification of a subsection (d) hospital
23 that would otherwise be in effect for such fiscal year pur-
24 suant to a decision of the Board shall be effective for any
25 portion of such fiscal year during which such hospital is

- 1 treated as being located in a higher-wage area under para-
- 2 graph (8)(F).”.

