

106TH CONGRESS  
1ST SESSION

# H. R. 2123

To amend title XVIII of the Social Security Act to provide for a special rule for long existing home health agencies with partial fiscal year 1994 cost reports in calculating the per beneficiary limits under the interim payment system for such agencies.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1999

Mr. BALDACCI (for himself and Mr. ALLEN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on 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 provide for a special rule for long existing home health agencies with partial fiscal year 1994 cost reports in calculating the per beneficiary limits under the interim payment system for such agencies.

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. SPECIAL RULE FOR LONG EXISTING HOME**  
2 **HEALTH AGENCIES WITH PARTIAL FISCAL**  
3 **YEAR 1994 COST REPORTS.**

4 (a) IN GENERAL.—Section 1861(v)(1)(L) of the So-  
5 cial Security Act (42 U.S.C. 1395x(v)(1)(L)) is amended  
6 by adding at the end the following:

7 “(x)(I) If requested by an applicable agency, the limi-  
8 tation under clause (v) shall be determined for such agen-  
9 cy by substituting in subclause (I) of that clause ‘the rea-  
10 sonable costs (including nonroutine medical supplies) for  
11 the agency’s cost report for the most recent partial cost  
12 reporting period ending in fiscal year 1994’ for ‘the rea-  
13 sonable costs (including nonroutine medical supplies) for  
14 the agency’s 12-month cost reporting period ending during  
15 fiscal year 1994’.

16 “(II) In this clause, the term ‘applicable agency’  
17 means an agency that—

18 “(aa) was in existence prior to fiscal year 1980;

19 “(bb) had an active medicare provider number  
20 prior to such date; and

21 “(cc) had less than a 12-month cost reporting  
22 period ending in fiscal year 1994 because such agen-  
23 cy changed the end date of its cost reporting period  
24 during fiscal year 1994.

1       “(III) The limitation determined for an applicable  
2 agency pursuant to this clause shall be excluded from any  
3 calculation under this subparagraph of—

4               “(aa) a standardized regional average of costs;

5       or

6               “(bb) a national median of limits.”.

7       (b) EFFECTIVE DATE.—The amendment made by  
8 subsection (a) shall take effect as if included in the enact-  
9 ment of the Balanced Budget Act of 1997.

○