

107TH CONGRESS  
1ST SESSION

# S. 813

To amend title XVIII of the Social Security Act to increase payments under the medicare program to Puerto Rico hospitals.

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IN THE SENATE OF THE UNITED STATES

MAY 1, 2001

Mr. SANTORUM (for himself and Mr. GRAHAM) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to increase payments under the medicare program to Puerto Rico hospitals.

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 “Medicare Puerto Rico  
5 Hospital Payment Parity Act of 2001”.

6 **SEC. 2. MODIFICATION OF PAYMENT RATE FOR PUERTO**  
7 **RICO HOSPITALS.**

8 Section 1886(d)(9)(A) of the Social Security Act (42  
9 U.S.C. 1395ww(d)(9)(A)) is amended—

1 (1) in clause (i), by striking “October 1, 1997,  
 2 50 percent (” and inserting “October 1, 2001, 25  
 3 percent (for discharges between October 1, 1997,  
 4 and September 30, 2001, 50 percent,”; and

5 (2) in clause (ii), in the matter preceding sub-  
 6 clause (I), by striking “after October 1, 1997, 50  
 7 percent (” and inserting “after October 1, 2001, 75  
 8 percent (for discharges between October 1, 1997,  
 9 and September 30, 2001, 50 percent,”.

10 **SEC. 3. CALCULATION OF MEDICARE DSH PAYMENTS FOR**  
 11 **PPS HOSPITALS IN PUERTO RICO.**

12 (a) IN GENERAL.—Section 1886(d)(9) of the Social  
 13 Security Act (42 U.S.C. 1395ww(d)(9)) is amended—

14 (1) by striking subparagraph (D)(iii) and in-  
 15 serting the following:

16 “(iii) Subparagraph (F) (relating to dispropor-  
 17 tionate share payments), except that for this  
 18 purpose—

19 “(I) the sum described in clause (ii) of this  
 20 subparagraph shall be substituted for the sum  
 21 referred to in paragraph (5)(F)(ii)(I); and

22 “(II) the number of a subsection (d) Puer-  
 23 to Rico hospital’s SSI proxy patient days (as  
 24 defined in subparagraph (E)) shall be sub-

1           stituted for the numerator referred to in para-  
2           graph (5)(F)(vi)(I).”; and

3           (2) by adding at the end the following new sub-  
4           paragraph:

5           “(E)(i) For purposes of subparagraph (D)(iii)(II),  
6 the term ‘subsection (d) Puerto Rico hospital’s SSI proxy  
7 patient days’ means the product obtained by multiplying—

8           “(I) the SSI proxy percentage (as defined in  
9           clause (ii)); by

10           “(II) the total number of the hospital’s patient  
11           days for such period.

12           “(ii) For purposes of clause (i)(I), the term ‘SSI  
13 proxy percentage’ means, with respect to all subsection (d)  
14 Puerto Rico hospitals for cost reporting periods beginning  
15 in a fiscal year, the unweighted average of the fractions  
16 (expressed as percentages) determined under paragraph  
17 (5)(F)(vi)(I) for all subsection (d) hospitals in the income-  
18 equivalent proxy State (as defined in clause (iii)) for the  
19 most recent cost reporting period for which adequate data  
20 are available (other than hospitals for which such fraction  
21 or percentage is zero).

22           “(iii) For purposes of clause (ii), the term ‘income-  
23 equivalent proxy State’ means, for cost reporting periods  
24 beginning in a fiscal year, the State (other than a State  
25 for which title XVI, as in effect without regard to the

1 amendment made by section 301 of the Social Security  
2 Amendments of 1972, continues to apply) the per capita  
3 income of which most closely approximates the per capita  
4 income of Puerto Rico (as determined by the Secretary  
5 based on the most recent period for which adequate data  
6 are available).”.

7 (b) EFFECTIVE DATE.—The amendments made by  
8 subsection (a) shall apply to discharges occurring on or  
9 after October 1, 2001.

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