

114TH CONGRESS
1ST SESSION

H. R. 170

To extend the nonenforcement instruction for the Medicare direct supervision requirement for therapeutic hospital outpatient services insofar as it applies to critical access hospitals and rural hospitals, to require a study of the impact on critical access hospitals and rural hospitals of a failure to extend such instruction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2015

Mr. SMITH of Nebraska 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 extend the nonenforcement instruction for the Medicare direct supervision requirement for therapeutic hospital outpatient services insofar as it applies to critical access hospitals and rural hospitals, to require a study of the impact on critical access hospitals and rural hospitals of a failure to extend such instruction, and for other purposes.

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. SHORT TITLE.**

2 This Act may be cited as the “Rural Health Care
3 Provider Relief Act of 2015”.

4 **SEC. 2. EXTENSION OF NONENFORCEMENT INSTRUCTION**
5 **FOR THE MEDICARE DIRECT SUPERVISION**
6 **REQUIREMENT FOR THERAPEUTIC HOSPITAL**
7 **OUTPATIENT SERVICES FOR CRITICAL AC-**
8 **CESS HOSPITALS AND RURAL HOSPITALS;**
9 **STUDY OF IMPACT OF FAILURE TO EXTEND**
10 **SUCH INSTRUCTION.**

11 (a) **EXTENSION OF THERAPY SUPERVISION NON-**
12 **ENFORCEMENT INSTRUCTION.**—The Secretary of Health
13 and Human Services shall, during the extension period,
14 extend the therapy supervision nonenforcement instruc-
15 tion.

16 (b) **DEFINITIONS.**—In this section:

17 (1) **THERAPY SUPERVISION NONENFORCEMENT**
18 **INSTRUCTION.**—The term “therapy supervision non-
19 enforcement instruction” means the enforcement in-
20 struction on supervision requirements for outpatient
21 therapeutic services in critical access and small rural
22 hospitals, as extended for calendar year 2013 by the
23 Centers for Medicare & Medicaid Services and
24 through calendar year 2014 by Public Law 113–198
25 (released as of November 1, 2012).

1 (2) CRITICAL ACCESS HOSPITAL; SMALL RURAL
2 HOSPITAL.—The terms “critical access hospital” and
3 “small rural hospital” have the meanings given such
4 terms for purposes of the therapy supervision non-
5 enforcement instruction.

6 (3) EXTENSION PERIOD.—The term “extension
7 period” means calendar year 2015, and includes a
8 subsequent calendar year unless the report under
9 subsection (c)(2) has been submitted at least 90
10 days before the end of the previous calendar year.

11 (c) STUDY AND REPORT ON IMPACT OF FAILURE TO
12 EXTEND THERAPY SUPERVISION NONENFORCEMENT IN-
13 STRUCTION.—

14 (1) STUDY.—The Secretary of Health and
15 Human Services shall conduct a study on the impact
16 (including the economic impact and the impact upon
17 hospital staffing needs, if any) on critical access hos-
18 pitals and small rural hospitals of not extending the
19 therapy supervision nonenforcement instruction.

20 (2) REPORT.—The Secretary of Health and
21 Human Services shall submit to Congress a report
22 on the findings of the study conducted under para-
23 graph (1), including recommendations regarding

- 1 whether the therapy supervision nonenforcement in-
- 2 struction should be extended or made permanent.

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