

118TH CONGRESS
2D SESSION

H. R. 10097

To amend title XVIII of the Social Security Act to adjust the hospice program survey and enforcement procedures under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2024

Ms. VAN DUYNE (for herself and Mr. PANETTA) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To amend title XVIII of the Social Security Act to adjust the hospice program survey and enforcement procedures under the Medicare program.

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 “Enhancing Hospice
5 Oversight and Transparency Act”.

1 **SEC. 2. ADJUSTING HOSPICE PROGRAM SURVEY AND EN-**
2 **FORCEMENT PROCEDURES UNDER THE**
3 **MEDICARE PROGRAM.**

4 (a) **SPECIAL FOCUS PROGRAM.**—Section 1822(b) of
5 the Social Security Act (42 U.S.C. 1395i–6(b)) is amend-
6 ed—

7 (1) in paragraph (1), by inserting “, beginning
8 not earlier than the date specified in paragraph
9 (3),” after “shall”; and

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

12 “(3) **DATE SPECIFIED.**—For purposes of para-
13 graph (1), the date specified in this paragraph is—

14 “(A) January 1, 2027, or

15 “(B) the date on which a State or local
16 survey agency, or an approved accreditation
17 agency, has, during the most recent 36-month
18 period specified in subsection (a), conducted at
19 least 1 survey under such subsection with re-
20 spect to each entity that is certified as a hos-
21 pice program (as described in such subsection)
22 as of the date of the enactment of the Enhanc-
23 ing Hospice Oversight and Transparency Act,
24 whichever is earlier.

25 “(4) **FEEDBACK REPORTS.**—On or after Janu-
26 ary 1, 2027, the Secretary may publicly identify a

1 hospice program that is selected for such special
2 focus program as being so selected if, not later than
3 60 days before such public identification, the Sec-
4 retary provides a confidential feedback report to
5 such hospice program that includes the Secretary’s
6 rationale for such selection.”.

7 (b) INCREASING PAYMENT REDUCTIONS FOR FAIL-
8 URE TO MEET QUALITY DATA REPORTING REQUIRE-
9 MENTS.—Section 1814(i)(5)(A)(i) of the Social Security
10 Act (42 U.S.C. 1395f(i)(5)(A)(i)) is amended by striking
11 “by 2 percentage points (or, for fiscal year 2024 and each
12 subsequent fiscal year, 4 percentage points).” and insert-
13 ing “by—

14 “(I) for fiscal years 2014
15 through 2023, 2 percentage points;

16 “(II) for fiscal years 2024
17 through 2026, 4 percentage points;
18 and

19 “(III) for fiscal year 2027 and
20 each subsequent fiscal year, 10 per-
21 centage points.”.

22 (c) INCREASING PUBLIC AWARENESS OF FAILURE
23 TO MEET QUALITY DATA REPORTING REQUIREMENTS.—
24 Section 1814(i)(5)(E) of the Social Security Act (42
25 U.S.C. 1395f(i)(5)(E)) is amended by inserting “the fail-

1 ure of a hospice program to submit such data under sub-
2 paragraph (C) and” after “The Secretary shall report”.

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