

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1273

To amend title XVIII of the Social Security Act to apply the additional Medicare HITECH payment provisions to hospitals in Puerto Rico.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2011

Mr. PIERLUISI (for himself, Mr. ANDREWS, Mr. RANGEL, Mr. SERRANO, Mr. CONYERS, Mrs. CHRISTENSEN, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. FALEOMAVAEGA, and Mr. SABLAN) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title XVIII of the Social Security Act to apply the additional Medicare HITECH payment provisions to hospitals in Puerto Rico.

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 “Puerto Rico Hospital  
5       HITECH Amendments of 2011”.

1 **SEC. 2. APPLICATION OF MEDICARE HITECH PAYMENTS TO**  
2 **HOSPITALS IN PUERTO RICO.**

3 (a) **IN GENERAL.**—Subsection (n)(6)(B) of section  
4 1886 of the Social Security Act (42 U.S.C. 1395ww) is  
5 amended by striking “subsection (d) hospital” and insert-  
6 ing “hospital that is a subsection (d) hospital or a sub-  
7 section (d) Puerto Rico hospital”.

8 (b) **OFFSETTING REDUCTION.**—Subsection (n)(2) of  
9 such section is amended by adding at the end the following  
10 new subparagraph:

11 “(H) **BUDGET NEUTRALITY ADJUST-**  
12 **MENT.**—The Secretary shall reduce the applica-  
13 ble amounts that would otherwise be deter-  
14 mined under this subsection with respect to—

15 “(i) fiscal year 2012 by an amount  
16 that the Secretary estimates would ensure  
17 that estimated aggregate payments under  
18 this subsection for fiscal years 2011 and  
19 2012 are not increased as a result of the  
20 amendment made by subsection (a) of sec-  
21 tion 2 of the Puerto Rico Hospital  
22 HITECH Amendments of 2011; or

23 “(ii) a succeeding fiscal year by an  
24 amount that the Secretary estimates would  
25 ensure that estimated aggregate payments  
26 under this subsection for such fiscal year

1                   are not increased as a result of the amend-  
2                   ments made by subsections (a) and (c) of  
3                   such section.”.

4           (c) CONFORMING AMENDMENTS.—(1) Subsection  
5 (b)(3)(B)(ix) of such section is amended—

6                   (A) in subclause (I), by striking “(n)(6)(A)”  
7                   and inserting “(n)(6)(B)”; and

8                   (B) in subclause (II), by striking “subsection  
9                   (d) hospital” and inserting “an eligible hospital”.

10           (2) Paragraphs (2) and (4)(A) of section 1853(m) of  
11 the Social Security Act (42 U.S.C. 1395w–23(m)) are  
12 each amended by striking “1886(n)(6)(A)” and inserting  
13 “1886(n)(6)(B)”.

14           (d) IMPLEMENTATION.—Notwithstanding any other  
15 provision of law, the Secretary of Health and Human  
16 Services may implement the amendments made by sub-  
17 sections (a), (b) and (c) by program instruction or other-  
18 wise.

19           (e) EFFECTIVE DATE.—The amendments made by  
20 this section shall apply as if included in the enactment  
21 of the American Recovery and Reinvestment Act of 2009  
22 (Public Law 111–3).

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