

116TH CONGRESS
2D SESSION

H. R. 7127

To amend title XVIII of the Social Security Act to make technical amendments to the separate payment under the Medicare program for disposable negative pressure wound therapy devices.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2020

Mr. BUTTERFIELD (for himself and Mr. MULLIN) 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 amend title XVIII of the Social Security Act to make technical amendments to the separate payment under the Medicare program for disposable negative pressure wound therapy devices.

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. TECHNICAL AMENDMENTS TO MEDICARE SEP-**
4 **ARATE PAYMENT FOR DISPOSABLE NEGA-**
5 **TIVE PRESSURE WOUND THERAPY DEVICES.**

6 (a) IN GENERAL.—Section 1834(s) of the Social Se-
7 curity Act (42 U.S.C. 1395m(s)) is amended—

1 (1) in paragraph (1), by adding at the end the
2 following new sentence: “Such separate payment
3 shall be a national payment rate established each
4 year for the applicable disposable device itself, and
5 not for the related professional services or home visit
6 to furnish the device, and shall be made under the
7 prospective payment system established under sec-
8 tion 1895, as an add-on payment for the device in
9 addition to other payments available to a home
10 health agency under such section.”;

11 (2) in paragraph (3), by adding at the end the
12 following new sentences: “In calculating the separate
13 payment amount for applicable disposable devices in
14 a given year, the Secretary shall assume no facility
15 level adjustments are applied and the wage adjust-
16 ment factor shall be 1.0, regardless of the wage ad-
17 justment factor that would otherwise apply under
18 section 1833(t). The separate payment for the appli-
19 cable disposable device shall be made under the pro-
20 spective payment system established under section
21 1895, and nothing in this paragraph shall be con-
22 strued to authorize the separate payment for the ap-
23 plicable disposable device to be under a different
24 payment system.”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(4) IMPLEMENTATION.—As part of submitting
4 claims eligible for or related to the separate add-on
5 payment established under this subsection, the Sec-
6 retary shall accept and process claims submitted
7 using the type of bill that is most commonly used by
8 home health agencies to bill services under a home
9 health plan of care, and the Secretary shall not re-
10 quire home health agencies to account for the time
11 spent applying the applicable disposable device sepa-
12 rately from the time spent treating other conditions
13 or to submit claims for payment under a payment
14 system other than the prospective payment system
15 established under section 1895.”.

16 (b) REGULATIONS.—Not later than 180 days after
17 the date of the enactment of this Act, the Secretary of
18 Health and Human Services shall promulgate interim final
19 regulations implementing the provisions of, including
20 amendments made by, subsection (a).

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