

114TH CONGRESS
1ST SESSION

S. 1602

To amend title XVIII of the Social Security Act to allow certain hospitals in Puerto Rico to qualify for incentives for adoption and meaningful use of certified EHR Technology under the Medicare program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 2015

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. SCHUMER, and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to allow certain hospitals in Puerto Rico to qualify for incentives for adoption and meaningful use of certified EHR Technology under the Medicare program, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Puerto Rico Hospital
5 HITECH Amendments Act of 2015”.

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) CONFORMING AMENDMENTS.—

9 (1) Subsection (b)(3)(B)(ix) of section 1886 of
10 the Social Security Act (42 U.S.C. 1395ww) is
11 amended—

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

14 (B) in subclause (II), by striking “a sub-
15 section (d) hospital” and inserting “an eligible
16 hospital”.

17 (2) Paragraphs (2) and (4)(A) of section
18 1853(m) of the Social Security Act (42 U.S.C.
19 1395w–23(m)) are each amended by striking
20 “1886(n)(6)(A)” and inserting “1886(n)(6)(B)”.

21 (c) IMPLEMENTATION.—Notwithstanding any other
22 provision of law, the Secretary of Health and Human
23 Services may implement the amendments made by this
24 section by program instruction or otherwise.

25 (d) EFFECTIVE DATE.—The amendments made by
26 this section shall apply as if included in the enactment

1 of the American Recovery and Reinvestment Act of 2009
2 (Public Law 111–5), except that, in order to take into ac-
3 count delays in the implementation of this section, in ap-
4 plying subsections (b)(3)(B)(ix), (n)(2)(E)(ii), and
5 (n)(2)(G)(i) of section 1886 of the Social Security Act,
6 as amended by this section, any reference in such sub-
7 sections to a particular year shall be treated with respect
8 to a subsection (d) Puerto Rico hospital as a reference
9 to the year that is 5 years after such particular year (or
10 7 years after such particular year in the case of applying
11 subsection (b)(3)(B)(ix) of such section).

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