

113TH CONGRESS
2D SESSION

S. 2005

To amend title XVIII of the Social Security Act to provide for the reporting of certain hospital payment data under the Medicare program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2014

Mr. COBURN (for himself and Mrs. MCCASKILL) 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 provide for the reporting of certain hospital payment data 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 “Consumer Learning
5 through Electronically-Accessible and Reasonable Cost In-
6 formation Act of 2013” or the “CLEAR Cost Information
7 Act of 2013”.

1 **SEC. 2. REPORTING OF CERTAIN HOSPITAL PAYMENT**
2 **DATA.**

3 (a) IN GENERAL.—Section 1866 of the Social Secu-
4 rity Act (42 U.S.C. 1395cc) is amended—

5 (1) in subsection (a)(1)—

6 (A) in subparagraph (V), by striking
7 “and” at the end;

8 (B) in subparagraph (W), as added by sec-
9 tion 3005 of Public Law 111–148—

10 (i) by moving such subparagraph 2
11 ems to the left; and

12 (ii) by striking the period at the end
13 and inserting a comma;

14 (C) in subparagraph (W), as added by sec-
15 tion 6406(b) of Public Law 111–148—

16 (i) by moving such subparagraph 2
17 ems to the left;

18 (ii) by redesignating such subpara-
19 graph as subparagraph (X); and

20 (iii) by striking the period at the end
21 and inserting “, and”; and

22 (D) by inserting after subparagraph (X),
23 as redesignated by subparagraph (C)(ii), the
24 following new subparagraph:

25 “(Y) in the case of a subsection (d) hospital (as
26 defined in section 1886(d)(1)(B)), to report payment

1 data to the Secretary in accordance subsection (l).”;
2 and

3 (2) by adding at the end the following new sub-
4 section:

5 “(1) REPORTING OF CERTAIN HOSPITAL PAYMENT
6 DATA.—

7 “(1) IN GENERAL.—A subsection (d) hospital
8 (as defined in section 1886(d)(1)(B)) shall submit to
9 the Secretary data on the actual amounts collected
10 by the hospital from uninsured and insured patients
11 over the preceding 2 years for each of the proce-
12 dures described in paragraph (2).

13 “(2) PROCEDURES DESCRIBED.—The proce-
14 dures described in this paragraph are the 50 most
15 common diagnosis-related groups and ambulatory
16 payment classification groups for which payment is
17 made under this title, as determined by the Sec-
18 retary based on claims data, in both the inpatient
19 and outpatient settings.

20 “(3) TRANSPARENCY.—

21 “(A) IN GENERAL.—In order to be bene-
22 ficial to consumers, the reporting of data under
23 this subsection shall be done in a manner that
24 is transparent to the general public.

1 “(B) PUBLIC AVAILABILITY OF INFORMA-
 2 TION.—The Secretary shall post data submitted
 3 under paragraph (1) on a publicly accessible
 4 and searchable Internet website in a form and
 5 manner that—

6 “(i) allows for meaningful compari-
 7 sons of hospital collections and related
 8 policies by zip code; and

9 “(ii) is readily understandable by a
 10 typical consumer.

11 “(C) LINKING OF DATA.—A subsection (d)
 12 hospital shall include a link to the data posted
 13 under subparagraph (B) on the home Internet
 14 website of the hospital.”.

15 (b) EFFECTIVE DATE.—The amendments made by
 16 this section shall apply to contracts entered into, or re-
 17 newed, on or after the date of the enactment of this Act.

18 **SEC. 3. INCLUSION OF INFORMATION ON CHARITY CARE**
 19 **FURNISHED BY HOSPITALS IN MEDPAC’S AN-**
 20 **NUAL REPORT.**

21 Each annual report submitted to Congress after the
 22 date of the enactment of this Act by the Medicare Pay-
 23 ment Advisory Commission under section 1805 of the So-
 24 cial Security Act (42 U.S.C. 1395b–6) shall contain infor-
 25 mation on the percentage that charity care makes up of

1 the total care furnished by hospitals and critical access
 2 hospitals.

3 **SEC. 4. PUBLIC AVAILABILITY OF REPORT ON TRENDS IN**
 4 **LEVELS OF CHARITY CARE PROVIDED BY**
 5 **CERTAIN HOSPITALS.**

6 (a) POSTING OF DATA.—Section 9007(e)(2) of the
 7 Patient Protection and Affordable Care Act (Public Law
 8 111–148; 124 Stat. 858) is amended by adding at the end
 9 the following new subparagraph:

10 “(C) PUBLIC AVAILABILITY.—The Sec-
 11 retary of the Treasury, in consultation with the
 12 Secretary of Health and Human Services, shall
 13 post the data contained in the report under
 14 subparagraph (B) on a publicly accessible and
 15 searchable website that—

16 “(i) allows for meaningful compari-
 17 sons of the data by zip code; and

18 “(ii) is readily understandable by a
 19 typical consumer.”.

20 (b) MEDICARE REQUIREMENT FOR HOSPITALS TO
 21 PROVIDE A LINK TO THE DATA ON THE HOSPITAL’S
 22 HOME WEBPAGE.—

23 (1) IN GENERAL.—Section 1866(a)(1) of the
 24 Social Security Act (42 U.S.C. 1395cc(a)(1)), as
 25 amended by section 2, is amended—

1 (A) in subparagraph (X), by striking
2 “and” at the end;

3 (B) in subparagraph (Y), by striking the
4 period at the end and inserting “, and”; and

5 (C) by inserting after subparagraph (Y)
6 the following new subparagraph:

7 “(Z) in the case of hospitals and critical
8 access hospitals, to include a link on the home
9 Internet website of the hospital or critical ac-
10 cess hospital to the data posted under section
11 9007(e)(2)(C) of the Patient Protection and Af-
12 fordable Care Act.”.

13 (2) EFFECTIVE DATE.—The amendments made
14 by paragraph (1) shall apply to contracts entered
15 into, or renewed, on or after the date of the enact-
16 ment of this Act.

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