117TH CONGRESS  
2D SESSION

S.

To amend title XVIII of the Social Security Act to extend acute hospital care at home waiver flexibilities.

IN THE SENATE OF THE UNITED STATES

Mr. CARPER (for himself and Mr. SCOTT of South Carolina) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend title XVIII of the Social Security Act to extend acute hospital care at home waiver flexibilities.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
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4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “Hospital Inpatient Services Modernization Act”.
6
7 SEC. 2. EXTENDING ACUTE HOSPITAL CARE AT HOME WAIVER FLEXIBILITIES.
8 Section 1812 of the Social Security Act (42 U.S.C.
9 1395d) is amended—
(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

“(g)(1) During the period beginning on the date of the enactment of this subsection and ending on the date that is 2 years after the end of the emergency period described in section 1135(g)(1)(B), inpatient hospital services or inpatient critical access hospital services described in subsection (a)(1) shall include services (including telehealth services as defined in section 1834(m)) furnished to an individual by an Acute Hospital Care at Home Program (as defined by the Secretary).

“(2) With respect to telehealth services furnished by an Acute Hospital Care at Home Program during the period described in paragraph (1), the requirements described in section 1834(m)(4)(C)(i) shall not apply and the sites described in section 1834(m)(4)(C)(ii) shall include the home or temporary residence of the individual.

“(3) With respect to services furnished in the home or temporary residence of the individual through an Acute Hospital Care at Home Program during such period, the requirement for providing 24-hour nursing services and immediate availability of nursing services as conditions of participation shall also be satisfied by providing virtual ac-
cess to nurses, advanced practice providers, or physicians 24-hours per day.

“(4) With respect to services furnished in the home or temporary residence of the individual through an Acute Hospital Care at Home Program during such period, life safety code requirements shall be deemed satisfied for homes or temporary residences determined to be safe and appropriate for this care by the Acute Hospital Care at Home Program.

“(5) Not later than 12 months after the date of the enactment of this subsection, the Secretary shall issue regulations establishing health and safety requirements for Acute Hospital Care at Home Programs.”.

SEC. 3. EVALUATION AND REPORT ON ACUTE HOSPITAL CARE AT HOME AND HOSPITAL WITHOUT WALLS WAIVERS.

(a) Evaluation.—The Secretary of Health and Human Services shall conduct an evaluation of the Acute Hospital Care at Home and Hospital Without Walls waivers issued pursuant to the authority under section 1135(b) of the Social Security Act (42 U.S.C. 1320b–5(b)). Such evaluation shall include an analysis of—

(1) relevant data collected by the Centers for Medicare & Medicaid Services related to such waivers; and
(2) the quality of care provided, patient outcomes, beneficiary access, health disparities, patient safety, cost, and utilization.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the evaluation conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines to be appropriate.