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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend titles XVIII and XIX of the Social Security Act to streamline care delivery in skilled nursing facilities and nursing facilities under the Medicare and Medicaid programs.

IN THE HOUSE OF REPRESENTATIVES

Mrs. KIGGANS of Virginia introduced the following bill; which was referred to the Committee on _____

A BILL

To amend titles XVIII and XIX of the Social Security Act to streamline care delivery in skilled nursing facilities and nursing facilities under the Medicare and Medicaid programs.

1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enhancing Skilled
5 Nursing Facilities Act”.

1 **SEC. 2. STREAMLINING CARE DELIVERY IN SKILLED NURS-**

2 **ING FACILITIES AND NURSING FACILITIES.**

3 **(a) MEDICARE.—**

4 **(1) CERTIFICATION OF POST-HOSPITAL EX-**
5 **TENDED CARE SERVICES.—**Section 1814(a)(2) of the
6 Social Security Act (42 U.S.C. 1395f(a)(2)) is
7 amended by striking “who does not” and all that fol-
8 lows through “physician,” and inserting “working
9 in accordance with State law.”.

10 **(2) SUPERVISION REQUIREMENT IN SKILLED**
11 **NURSING FACILITY SERVICES.—**Section
12 1819(b)(6)(A) of the Social Security Act (42 U.S.C.
13 1395i-3(b)(6)(A)) is amended—

14 **(A) in the header, by striking “PHYSICIAN**
15 **SUPERVISION” and inserting “SUPERVISION”;**
16 **and**

17 **(B) by inserting “or a nurse practitioner**
18 **or physician assistant, in accordance with State**
19 **law” after “physician”.**

20 **(3) ADMINISTRATION OF PART B.—**Section
21 1842(b)(2)(C) of the Social Security Act (42 U.S.C.
22 1395u(b)(2)(C)) is amended—

23 **(A) by inserting “, a nurse practitioner, or**
24 **a physician assistant” after “a physician”; and**

25 **(B) by striking “and includes a physician**
26 **assistant acting under the supervision of the**

1 physician or a nurse practitioner working in col-
2 laboration with that physician, or both”.

3 (4) PROVISION OF MEDICAL AND OTHER
4 HEALTH SERVICES.—Section 1861(s)(2)(K)(ii) of
5 the Social Security Act (42 U.S.C.
6 1395x(s)(2)(K)(ii)) is amended by striking “or clin-
7 ical nurse specialist (as defined in subsection
8 (aa)(5)) working in collaboration (as defined in sub-
9 section (aa)(6)) with a physician (as defined in sub-
10 section (r)(1))” and inserting “(as defined in sub-
11 section (aa)(5)(A)), or by a clinical nurse specialist
12 (as defined in subsection (aa)(5)(B)) working in col-
13 laboration with a physician (as defined in subsection
14 (r)(1)),”.

15 (5) SCOPE OF SERVICES.—Section
16 1819(b)(2)(B) of the Social Security Act (42 U.S.C.
17 1395i-3(b)(2)(B)) is amended by inserting “(or a
18 nurse practitioner, physician assistant, or clinical
19 nurse specialist working in accordance with State
20 law)” after “attending physician”.

21 (6) RESIDENTS’ RIGHTS.—Section 1819(c) of
22 the Social Security Act (42 U.S.C. 1395i-3(c)) is
23 amended—

24 (A) in paragraph (1)(A)(i), by inserting
25 “nurse practitioner, physician assistant, or clin-

1 ical nurse specialist working in accordance with
2 State law” after “attending physician”;

5 (i) by inserting “nurse practitioner,
6 physician assistant, or clinical nurse spe-
7 cialist working in accordance with State
8 law” after “resident’s physician”; and

9 (ii) by inserting “, nurse practitioner,
10 physician assistant, or clinical nurse spe-
11 cialist working in accordance with State
12 law” after “a physician”; and

13 (C) in paragraph (3)(A), by inserting “,
14 nurse practitioner, physician assistant, or clin-
15 ical nurse specialist working in accordance with
16 State law” after “physician”.

17 (b) MEDICAID.—

18 (1) CERTIFICATION OF SKILLED NURSING FA-
19 CILITY SERVICES AND INTERMEDIATE CARE FACIL-
20 ITY SERVICES.—Section 1902(a)(44) of the Social
21 Security Act (42 U.S.C. 1396a(a)(44)) is amend-
22 ed—

23 (A) in subparagraph (A)—

24 (i) by striking “(or, in the case of
25 skilled nursing facility services or inter-

4 (ii) by striking “physician) certifies”
5 and inserting “physician, or, in the case of
6 skilled nursing facility services, a physi-
7 cian, or a nurse practitioner, a physician
8 assistant, or a clinical nurse specialist
9 working in accordance with State law) cer-
10 tifies”;

11 (iii) by striking “a physician, or, in
12 the case of skilled nursing facility services
13 or” and inserting “a physician, or, in the
14 case of”; and

15 (iv) by inserting “or, in the case of
16 skilled nursing facility services, a physi-
17 cian, or a nurse practitioner, a physician
18 assistant, or a clinical nurse specialist
19 working in accordance with State law,” be-
20 fore “recertifies”; and

21 (B) in subparagraph (B)—

22 (i) by striking “skilled nursing facility
23 services or”; and

24 (ii) by inserting “, or, in the case of
25 skilled nursing facility services, a physi-

1 cian, or a nurse practitioner, a physician
2 assistant, or a clinical nurse specialist
3 working in accordance with State law" be-
4 fore the semicolon.

9 “(A) require that the health care of every
10 resident be provided under the supervision of a
11 physician or nurse practitioner or a physician
12 assistant (or, at the option of a State, under
13 the supervision of a clinical nurse specialist);”.