

111TH CONGRESS
1ST SESSION

S. 716

To amend title XVIII of the Social Security Act to preserve care for
ventilator-dependent patients.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2009

Ms. STABENOW (for herself and Mr. LEVIN) 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 preserve
care for ventilator-dependent patients.

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. PRESERVING CARE FOR VENTILATOR-DEPEND-**
4 **ENT PATIENTS.**

5 (a) IN GENERAL.—Section 1886(d)(5)(F)(vi) of the
6 Social Security Act (42 U.S.C. 1395ww(d)(5)(F)(vi)) is
7 amended, in the flush matter following subclause (II), by
8 adding at the end the following: “In the case of a hospital
9 which provides acute care services to ventilator-dependent
10 patients who are entitled to benefits under part A and are

1 eligible for medical assistance under a State plan approved
2 under title XIX, the Secretary shall not exclude from the
3 numerator in subclause (II) for such period any patient
4 days of such ventilator-dependent patients unless such pa-
5 tient days are included in the numerator in subclause (I).”
6 (b) EFFECTIVE DATE.—The amendment made by
7 this section shall take effect as if included in and effective
8 upon the enactment of the Medicare, Medicaid, and
9 SCHIP Benefits Improvement and Protection Act of 2000
10 (as enacted into law by section 1(a)(6) of Public Law 106–
11 554).

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