

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3227
OFFERED BY M. _____**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Ensuring Seniors’ Ac-
3 cess to Quality Care Act”.

**4 SEC. 2. ENSURING APPROPRIATE APPROVAL FOR CERTAIN
5 SKILLED NURSING FACILITY AND NURSING
6 FACILITY NURSING AIDE TRAINING AND
7 COMPETENCY EVALUATION PROGRAMS
8 UNDER THE MEDICARE AND MEDICAID PRO-
9 GRAM.**

10 (a) MEDICARE.—Section 1819(f)(2) of the Social Se-
11 curity Act (42 U.S.C. 1395i–3(f)(2)) is amended—

12 (1) in subparagraph (B)(iii)—

13 (A) in the matter preceding subclause (I),
14 by striking “subparagraphs (C) and (D)” and
15 inserting “subparagraph (C)”; and

16 (B) in subclause (I)—

17 (i) in item (b), by striking “or” at the
18 end;

1 (ii) by amending item (c) to read as
2 follows:

3 “(c) has been assessed a
4 civil money penalty described in
5 subsection (h)(2)(B)(ii) or sec-
6 tion 1919(h)(2)(A)(ii) of not less
7 than \$12,924 and has been cited
8 for a deficiency relating to the
9 quality of care provided to resi-
10 dents of the facility; or”;

11 (iii) by adding at the end the fol-
12 lowing new item:

13 “(d) has been subject to a
14 remedy described in clause (i) or
15 (iii) of subsection (h)(2)(B), sub-
16 section (h)(4), section
17 1919(h)(1)(B)(i), or in clause (i),
18 (iii), or (iv) of section
19 1919(h)(2)(A), or”;

20 (2) by striking subparagraph (D).

21 (b) MEDICAID.—Section 1919(f)(2) of the Social Se-
22 curity Act (42 U.S.C. 1396r(f)(2)) is amended—

23 (1) in subparagraph (B)(iii)—

1 (A) in the matter preceding subclause (I),
2 by striking “subparagraphs (C) and (D)” and
3 inserting “subparagraph (C)”; and

4 (B) in subclause (I)—

5 (i) in item (b), by striking “or” at the
6 end;

7 (ii) by amending item (c) to read as
8 follows:

9 “(c) has been assessed a
10 civil money penalty described in
11 subsection (h)(2)(A)(ii) or section
12 1819(h)(2)(B)(ii) of not less than
13 \$12,924 and has been cited for a
14 deficiency relating to the quality
15 of care provided to residents of
16 the facility; or”; and

17 (iii) by adding at the end the fol-
18 lowing new item:

19 “(d) has been subject to a
20 remedy described in subsection
21 (h)(1)(B)(i), clauses (i), (iii), or
22 (iv) of subsection (h)(2)(A),
23 clauses (i) or (iii) of section
24 1819(h)(2)(B), or section
25 1819(h)(4), or”; and

1 (2) by striking subparagraph (D).

