

118TH CONGRESS
1ST SESSION

H. R. 1406

To amend title XVIII of the Social Security Act to permanently extend certain in-home cardiopulmonary rehabilitation flexibilities established in response to COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2023

Mr. JOYCE of Pennsylvania (for himself and Mr. PETERS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to permanently extend certain in-home cardiopulmonary rehabilitation flexibilities established in response to COVID–19, 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 “Sustainable
5 Cardiopulmonary Rehabilitation Services in the Home
6 Act”.

1 **SEC. 2. CODIFYING IN-HOME CARDIOPULMONARY REHA-**
2 **BILITATION FLEXIBILITIES ESTABLISHED IN**
3 **RESPONSE TO COVID-19.**

4 (a) IN GENERAL.—Section 1861(eee)(2) of the Social
5 Security Act (42 U.S.C. 1395x(eee)(2)) is amended—

6 (1) in subparagraph (A)(ii), by inserting “, in-
7 cluding in the home of an individual when furnished
8 as a telehealth service through two-way audio-visual
9 communications technology, or when such home is
10 designated as a provider-based location of a hospital
11 outpatient department” after “outpatient basis”;
12 and

13 (2) in subparagraph (B), by inserting “, includ-
14 ing through the virtual presence of such physician,
15 physician assistant, nurse practitioner, or clinical
16 nurse specialist, through two-way audio-visual com-
17 munications technology” after “under the program”.

18 (b) EXPANDING ORIGINATING SITES.—Section
19 1834(m) of the Social Security Act (42 U.S.C. 1395m(m))
20 is amended—

21 (1) in paragraph (1), by striking “and (9)”
22 through “(as defined in paragraph (4)(E))” and in-
23 serting “, (9), and (10), the Secretary shall pay for
24 telehealth services that are furnished via a tele-
25 communications system by a physician (as defined in
26 section 1861(r)) or a practitioner (as defined in

1 paragraph (4)(E)), or by a hospital (as defined in
2 section 1861(e))”;

3 (2) in paragraph (2)(A), by striking “or practi-
4 tioner” and inserting “, practitioner, or hospital” in
5 each place that it appears;

6 (3) in paragraph (4)(A), by striking “or practi-
7 tioner” and inserting “, practitioner, or hospital”;

8 (4) in paragraph (4)(C)—

9 (A) in clause (i), by striking “and (7)” and
10 inserting “(7), and (10)”;

11 (B) in clause (ii)(X), by striking “para-
12 graph (7)” and inserting “paragraphs (7) and
13 (10)”;

14 (5) in paragraph (4)(F)(i), by striking “para-
15 graph (8)” and inserting “paragraphs (8) and (10)”;
16 and

17 (6) by adding at the end the following new
18 paragraph:

19 “(10) TREATMENT OF IN-HOME CARDIAC REHA-
20 BILITATION PROGRAM, INTENSIVE CARDIAC REHA-
21 BILITATION PROGRAM, AND PULMONARY REHABILI-
22 TATION PROGRAM VISITS.—Beginning on the first
23 day following the end of the emergency period de-
24 scribed in section 1135(g)(1)(B), the geographic re-
25 quirements described in paragraph (4)(C)(i) shall

1 not apply with respect to telehealth services for car-
2 diac rehabilitation programs and intensive cardiac
3 rehabilitation programs (as such terms are defined
4 in section 1861(eee)) and pulmonary rehabilitation
5 programs (as defined in section 1861(fff)) at an
6 originating site described in subclauses (V) and (X)
7 of paragraph (4)(C)(ii).”.

8 (c) RULEMAKING TO ESTABLISH STANDARDS AND
9 ALLOW FOR CERTAIN PROGRAMS TO UTILIZE TELE-
10 HEALTH SERVICES.—

11 (1) IN GENERAL.—The Secretary of Health and
12 Human Services shall promulgate rules to—

13 (A) establish standards for the designation
14 of the home of an individual with status as a
15 provider-based organization of a hospital con-
16 sistent with waivers issued through the Hospital
17 Without Walls program for cardiac rehabilita-
18 tion, pulmonary rehabilitation, and intensive
19 cardiac rehabilitation; and

20 (B) include cardiac rehabilitation programs
21 and intensive cardiac rehabilitation programs
22 (as such terms are defined in section 1861(eee)
23 of the Social Security Act (42 U.S.C.
24 1395x(eee)), and pulmonary rehabilitation pro-
25 grams (as defined in section 1861(fff)) of such

1 Act (42 U.S.C. 1395x(fff)) among telehealth
2 services to be specified under section
3 1834(m)(4)(F) of such Act (42 U.S.C.
4 1395m(m)(4)(F)).

5 (2) EFFECTIVE DATE.—The standards estab-
6 lished under paragraph (1) shall take effect on the
7 later of the date on which such standards are issued
8 by the Secretary of Health and Human Services, or
9 on the first day after the end of the emergency pe-
10 riod described in section 1135(g)(1)(B) of the Social
11 Security Act (42 U.S.C. 1320b–5(g)(1)(B)).

○