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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend title 38, United States Code, to modify the rate of pay for care or services provided under the Community Care Program of the Department of Veterans Affairs based on the location at which such care or services were provided, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M\_\_\_\_. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title 38, United States Code, to modify the rate of pay for care or services provided under the Community Care Program of the Department of Veterans Affairs based on the location at which such care or services were provided, 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,*

1 **SECTION 1. RATES OF PAY FOR A PROVIDER OF CARE OR**  
2 **SERVICES FURNISHED TO A VETERAN UNDER**  
3 **THE COMMUNITY CARE PROGRAM OF THE**  
4 **DEPARTMENT OF VETERANS AFFAIRS.**

5 (a) RATES.—Section 1703(i)(1) of title 38, United  
6 States Code, is amended—

7 (1) by striking “Except as provided in para-  
8 graph (2),” and inserting “(A) Except as provided  
9 in paragraph (2),”; and

10 (2) by adding at the end the following new sub-  
11 paragraphs:

12 “(B) Not later than January 1, 2027, the Secretary  
13 shall establish rates for payments to providers of care or  
14 services under subparagraph (A) that are specific with re-  
15 spect to the following sites of service at which the care  
16 or service is actually provided (regardless of the physical  
17 location of the headquarters of the provider):

18 “(i) A hospital outpatient department.

19 “(ii) An ambulatory surgical center.

20 “(iii) The office of a physician.

21 “(iv) Such other sites as the Secretary may  
22 deem useful in carrying out this paragraph.

23 “(C) The Secretary shall ensure that a claim for pay-  
24 ment under this paragraph includes a separate unique  
25 health identifier that identifies the specific site of service  
26 of the provider (as required under subparagraph (B)).

1       “(D) In the case of covered OPD services (as defined  
2 in section 1833(t)(1)(B) of the Social Security Act (42  
3 U.S.C. 1395l(t)(1)(B)) that are provided on or after Janu-  
4 ary 1, 2027, by a provider that is an off-campus out-  
5 patient department of a provider (as defined in section  
6 1833(t)(21)(B) of the Social Security Act (42 U.S.C.  
7 1395l(t)(21(B)), disregarding clauses (ii) and (iv) thereof,  
8 as if such clauses did not exist), the Secretary shall ensure  
9 that such department is treated as a subpart of such pro-  
10 vider and assigned a unique health identifier pursuant to  
11 subparagraph (C) of this paragraph, and that such pro-  
12 vider includes such identifier on any claim form it submits  
13 under this subsection, and that such provider may not  
14 hold a veteran liable for such item or service unless such  
15 care or services are billed using the separate unique health  
16 identifier established for such department under this para-  
17 graph.

18       “(E) The Secretary shall reduce by 30 percent, from  
19 the applicable Medicare rate, a payment amount for out-  
20 patient department care or services provided by a dedi-  
21 cated emergency department that is an off-campus out-  
22 patient department of a provider (as defined in section  
23 1833(t)(21)(B) of the Social Security Act) and is located  
24 six or fewer miles from another hospital, critical access

1 hospital, or rural emergency hospital, including the parent  
2 hospital of such emergency department.

3 “(F) Nothing in this paragraph may be construed to  
4 prevent the Secretary from determining the appropriate  
5 amount of a facility fee.

6 “(G) Nothing in this paragraph may be construed to  
7 require the Secretary to pay an independent physician the  
8 same amount as it would pay a hospital-based physician,  
9 or to pay a hospital-based physician less than it would pay  
10 an independent physician, for the same item or service.”.

11 (b) EFFECTIVE DATE.—The amendments made by  
12 subsection (a) shall take effect on January 1 of the first  
13 calendar year beginning after the date of the enactment  
14 of this Act.