

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. _____
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 “Second Chances for
3 Rural Hospitals Act”.

4 SEC. 2. EXPANDING THE DEFINITION OF RURAL EMER-
5 GENY HOSPITAL UNDER THE MEDICARE
6 PROGRAM.

7 (a) IN GENERAL.—Section 1861(kkk) of the Social
8 Security Act (42 U.S.C. 1395x(kkk)) is amended—

9 (1) in paragraph (2)(A), by striking “is enrolled
10 under section 1866(j)” inserting “except in the case
11 of a facility described in paragraph (3)(B)”;

12 (2) in paragraph (3)—

13 (A) in subparagraph (B), by striking the
14 period at the end and inserting “; or”;

15 (B) by redesignating subparagraphs (A)
16 and (B) as clauses (i) and (ii), respectively, and
17 adjusting the margins accordingly;

1 (C) by striking “facility that as of” and in-
2 serting “facility—

3 “(A) that as of”; and

4 (D) by adding at the end the following new
5 subparagraph:

6 “(B) that—

7 “(i) during the period beginning Jan-
8 uary 1, 2014, and ending December 26,
9 2020—

10 “(I) was a critical access hos-
11 pital; or

12 “(II) was a subsection (d) hos-
13 pital (as defined in section
14 1886(d)(1)(B)) located in a county
15 (or equivalent unit of local govern-
16 ment) in a rural area (as defined in
17 section 1886(d)(2)(D)); and

18 “(ii) as of the date of the enactment
19 of this subparagraph, had ceased oper-
20 ations.”; and

21 (3) in paragraph (4)—

22 (A) in subparagraph (A)(i), by striking
23 “An action plan” and inserting “Except in the
24 case of a facility described in paragraph (3)(B),
25 an action plan”; and

1 (B) in subparagraph (B)(i), by inserting
2 “except in the case of a facility described in
3 paragraph (3)(B),” before “the facility”.

4 (b) AMENDMENTS TO PAYMENT RULES.—Section
5 1834(x) of the Social Security Act (42 U.S.C. 1395m(x))
6 is amended—

7 (1) in paragraph (1), by inserting “, except
8 that, in the case of a facility described in section
9 1861(kkk)(3)(B) that, as of the date on which such
10 facility submits an application under section 1866(j)
11 to enroll under this title as a rural emergency hos-
12 pital, is located less than 35 miles away from the
13 nearest hospital, critical access hospital, or rural
14 emergency hospital, such increase shall not apply”
15 before the period at the end; and

16 (2) in paragraph (2)(A), by inserting “(other
17 than a facility described in section 1861(kkk)(3)(B)
18 that, as of the date on which such facility submits
19 an application under section 1866(j) to enroll under
20 this title as a rural emergency hospital, is located
21 less than 10 miles away from the nearest hospital,
22 critical access hospital, or rural emergency hos-
23 pital)” after “rural emergency hospital”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply beginning January 1, 2027.

