

118TH CONGRESS
2D SESSION

H. R. 7829

To amend title XVIII of the Social Security Act to improve the payment method for oxygen and oxygen related equipment, supplies, and services, to increase beneficiary access to oxygen and oxygen related equipment, supplies, and services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2024

Mr. VALADAO (for himself, Mr. BUCSHON, Mr. SMITH of Nebraska, and Ms. BROWNLEY) 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 improve the payment method for oxygen and oxygen related equipment, supplies, and services, to increase beneficiary access to oxygen and oxygen related equipment, supplies, and services, 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. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Supplemental Oxygen Access Reform Act of 2024” or the
4 “SOAR Act of 2024”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
6 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—PROTECT BENEFICIARY ACCESS TO SUPPLEMENTAL
OXYGEN THERAPY IN THE HOME AND COMMUNITY**

- Sec. 101. Reform of the Medicare supplemental oxygen benefit.
- Sec. 102. Establishment of supplemental oxygen responsibilities criteria.
- Sec. 103. Technical corrections.

**TITLE II—PROTECTING BENEFICIARY ACCESS TO RESPIRATORY
THERAPISTS**

- Sec. 201. Reimbursement for respiratory therapists.

TITLE III—ADOPTION OF ELECTRONIC TEMPLATES

- Sec. 301. Use of electronic templates to document medical necessity and restoring clinical inference for oxygen and oxygen related equipment, supplies, and services.

TITLE IV—ESTABLISHMENT OF BENEFICIARY RIGHTS

- Sec. 401. Establishing protections for individuals receiving oxygen or oxygen related equipment, supplies, or services.

7 **TITLE I—PROTECT BENEFICIARY ACCESS TO SUPPLEMENTAL OXYGEN THERAPY IN THE HOME AND COMMUNITY**

8 **SEC. 101. REFORM OF THE MEDICARE SUPPLEMENTAL OXYGEN BENEFIT.**

9 (a) **REMOVING OXYGEN AND OXYGEN RELATED EQUIPMENT, SUPPLIES, AND SERVICES FROM COMPETI-**

1 TIVE ACQUISITION PROGRAM TO IMPROVE PATIENT AC-
2 CESS TO SUPPLEMENTAL OXYGEN THERAPY.—Section
3 1847(a)(3) of the Social Security Act (42 U.S.C. 1395w-
4 3(a)(3)) is amended by—

5 (1) inserting “AND EXCLUSION” after “EXCEP-
6 TION AUTHORITY”;

7 (2) by redesignating subparagraphs (A) and
8 (B) as clauses (i) and (ii), respectively, and moving
9 such clauses as so redesignated 2 ems to the right;

10 (3) by striking “In carrying out” and inserting
11 the following:

12 “(A) IN GENERAL.—In carrying out”; and

13 (4) by adding at the end the following new sub-
14 paragraph:

15 “(B) EXCLUSION OF OXYGEN, AND OXY-
16 GEN RELATED EQUIPMENT, SUPPLIES, AND
17 SERVICES.—Beginning on or after January 1,
18 2025, the Secretary shall exclude oxygen and
19 oxygen related equipment, supplies, and services
20 from the competitive acquisition program under
21 this section and payment for oxygen and oxygen
22 related equipment, supplies, and services shall
23 be made as prescribed under subparagraphs
24 (E), (F). and (H) of section 1834(a)(9).”.

1 (b) ESTABLISHING ADEQUATE PAYMENT FOR OXY-
2 GEN AND OXYGEN RELATED EQUIPMENT, SUPPLIES, AND
3 SERVICES.—Section 1834(a)(9) of the Social Security Act
4 (42 U.S.C. 1395m(a)(9)) is amended—

5 (1) in the first sentence of the matter preceding
6 subparagraph (A), by inserting the following before
7 the period: “(for oxygen and oxygen equipment fur-
8 nished before January 1, 2025) or the amount de-
9 termined under subparagraph (E), subject to sub-
10 paragraphs (F), (G), and (H) (for oxygen and oxy-
11 gen related equipment, supplies, and services fur-
12 nished on or after January 1, 2025);”;

13 (2) by adding at the end the following:

14 “(E) PAYMENT FOR OXYGEN AND OXYGEN
15 RELATED EQUIPMENT, SUPPLIES, AND SERV-
16 ICES EXCLUDED FROM COMPETITIVE ACQUISI-
17 TION PROGRAM.—Subject to subparagraphs
18 (F), (G), and (H) in the case of oxygen and ox-
19 ygen related equipment, supplies, and services
20 furnished on or after January 1, 2025—

21 “(i) in areas that are competitive bid-
22 ding areas in which a competitive bidding
23 program is implemented for other covered
24 items, the payment amount is equal to—

1 “(I) for 2025, the fee schedule
2 amounts for the area for items and
3 services in effect on December 31,
4 2024; and

5 “(II) for each subsequent year,
6 the amount determined under this
7 clause for the preceding year, in-
8 creased by the percentage increase in
9 the consumer price index for all urban
10 consumers (United States city aver-
11 age) for the 12-month period ending
12 on December 31 of the previous year;

13 “(ii) in rural areas and non-contig-
14 uous areas (Alaska, Hawaii, and U.S. ter-
15 ritories), the payment amount is equal
16 to—

17 “(I) 50 percent of 110 percent of
18 the national average price for the item
19 or service determined under section
20 414.210(g)(1)(ii) of title 42, Code of
21 Federal Regulations; and

22 “(II) 50 percent of—

23 “(aa) for 2025, the fee
24 schedule amount for the area in

1 effect on December 31, 2024;
2 and

3 “(bb) for each subsequent
4 year, the amount determined
5 under this subclause for the pre-
6 ceding year, increased by the per-
7 centage increase in the consumer
8 price index for all urban con-
9 sumers (United States city aver-
10 age) for the 12-month period
11 ending on December 31 of the
12 previous year; and

13 “(iii) in areas other than those de-
14 scribed in clauses (i) and (ii), the payment
15 amount is equal to the sum of 75 percent
16 of the adjusted payment amount estab-
17 lished under clause (i) and 25 percent of
18 the unadjusted fee schedule amount other-
19 wise determined without taking into ac-
20 count this subparagraph.

21 “(F) SPECIAL RULE FOR LIQUID OXY-
22 GEN.—

23 “(i) PAYMENT.—

24 “(I) IN GENERAL.—In lieu of the
25 volume adjustment established under

1 paragraph (5)(C), not later than Jan-
2 uary 1, 2025, the Secretary in con-
3 sultation with suppliers, manufactur-
4 ers, patients and patient advocates,
5 and physicians, and through notice-
6 and-comment rulemaking, shall estab-
7 lish a separate payment amount that
8 meets the requirements of this sub-
9 paragraph made to a supplier for the
10 provision of liquid oxygen and liquid
11 oxygen related equipment, supplies,
12 and services that meets the require-
13 ments described in subparagraph (G).

14 “(II) PAYMENT FLOOR.—The
15 payment amount established under
16 subclause (I) may not be less than an
17 amount equal to 200 percent of the
18 2015 Durable Medical Equipment,
19 Prosthetics/Orthotics & Supplies Fee
20 Schedule updated by the consumer
21 price index for all urban consumers
22 (United States city average) for years
23 2016 through 2024.

24 “(III) UPDATE MECHANISM.—
25 Beginning on January 1, 2026, the

1 payment amount described in sub-
2 clause (I) shall be increased annually
3 by the projected percentage increase
4 in the consumer price index for all
5 urban consumers (United States city
6 average) for the 12-month period end-
7 ing December 31 of the previous year.

8 “(ii) CONSIDERATIONS.—In imple-
9 menting the payment amount under this
10 subparagraph, the Secretary shall take into
11 account the cost of liquid oxygen on a per
12 pound basis, the cost of liquid oxygen
13 equipment, the infrastructure costs associ-
14 ated with providing liquid oxygen equip-
15 ment and supplies (including labor, stor-
16 age, transportation, maintenance, and
17 similar costs), the cost of complying with
18 Federal and State regulations specific to
19 the delivery and transportation of liquid
20 oxygen, and any other cost factors the Sec-
21 retary deems appropriate after consulting
22 with stakeholders such as suppliers, pro-
23 viders, patients and patient advocates, and
24 manufacturers.

1 “(iii) MONTHLY ADD-ON FOR HIGH-
2 FLOW PATIENTS.—

3 “(I) IN GENERAL.—Subject to
4 subclause (II), the Secretary shall es-
5 tablish a non-budget neutral add-on to
6 the payment amount under clause (i)
7 when the prescribing practitioner or-
8 ders an oxygen flow rate equal to or
9 greater than 6 liters per minute.

10 “(II) ADD-ON AMOUNT.—The
11 add-on amount shall equal the per
12 pound cost of the oxygen exceeding
13 the amount required to provide a liter
14 flow that is equal to or greater than
15 6 liters per minute.

16 “(iv) PERIODIC ASSESSMENT OF THE
17 BASE RATE.—The Secretary shall assess at
18 least once every 3 years the adequacy of
19 the payment amounts under this subpara-
20 graph on a cost-related basis or other eco-
21 nomical and equitable basis.

22 “(v) TRANSITIONAL INTERIM PAY-
23 MENT.—

24 “(I) IN GENERAL.—For items
25 and services furnished on or after the

1 date of the enactment of the SOAR
2 Act of 2024 and prior to the imple-
3 mentation of the payment amount es-
4 tablished under this subparagraph,
5 the Secretary shall adopt a transi-
6 tional interim payment amount for
7 liquid oxygen, and liquid oxygen
8 equipment, supplies, and services in
9 an amount equal to 200 percent of
10 the 2015 Durable Medical Equipment,
11 Prosthetics/Orthotics & Supplies Fee
12 Schedule updated by the consumer
13 price index for all urban consumers
14 (United States city average) for years
15 2016 through 2024.

16 “(II) UPDATE.—This amount
17 shall be updated annually by the pro-
18 jected percentage change in the con-
19 sumer price index for all urban con-
20 sumers (United States city average)
21 for the 12-month period ending on
22 December 31 of the previous year,
23 until the Secretary implements the
24 payment amount under this subpara-
25 graph.

1 “(vi) COVERAGE CRITERIA.—

2 “(I) IN GENERAL.—Not later
3 than January 1, 2025, the Secretary,
4 in consultation with stakeholders,
5 shall establish objective clinical cri-
6 teria for the coverage of liquid oxygen,
7 and liquid oxygen equipment, supplies,
8 and services under this title.

9 “(II) UPDATE OF CRITERIA.—
10 The Secretary shall review and update
11 the coverage standards under this
12 clause every 5 years to ensure the
13 standards take into consideration cur-
14 rent medical and clinical guidelines
15 and take into effect modality in order
16 to maximize beneficiary independ-
17 ence.”.

18 **SEC. 102. ESTABLISHMENT OF SUPPLEMENTAL OXYGEN RE-**
19 **SPONSIBILITIES CRITERIA.**

20 (a) IN GENERAL.—1834(a)(9) of the Social Security
21 Act (42 U.S.C. 1395m(a)(9)), as amended by section
22 101(b), is further amended by inserting the following new
23 subparagraph:

24 “(G) OXYGEN AND OXYGEN RELATED
25 EQUIPMENT, SUPPLIES, AND SERVICES.—In

1 consultation with stakeholders, the Secretary
2 shall define the scope of services a supplier of
3 oxygen and oxygen related equipment, supplies,
4 and services must provide to receive payment
5 under this part, to include—

6 “(i) conducting an initial evaluation of
7 the beneficiary using the uniform oxygen
8 patient evaluation form described in para-
9 graph (5)(G) to determine the appropriate
10 use of oxygen and oxygen related equip-
11 ment, supplies, and services by the bene-
12 ficiary, including the use of portable equip-
13 ment;

14 “(ii) ensuring the beneficiary has ap-
15 propriate access to portable oxygen, and
16 portable oxygen equipment, supplies, and
17 services based on the mobility needs of the
18 beneficiary, including the needs of the ben-
19 eficiary outside the home of the bene-
20 ficiary;

21 “(iii) providing written and verbal
22 beneficiary and caregiver education regard-
23 ing oxygen and oxygen related equipment,
24 supplies, and services, stationary and port-
25 able options, and oxygen safety, which in-

1 cludes evaluating the environment of the
2 beneficiary for safety risks or hazards,
3 such as fire and fall hazards;

4 “(iv) providing appropriate delivery,
5 set-up, and coordination of oxygen services
6 (including the delivery of any oxygen
7 equipment or supplies to a beneficiary
8 prior to such beneficiary being discharged,
9 delivering such equipment, and setting up
10 the equipment), as needed, in a timely
11 manner as agreed upon by the beneficiary
12 or caregiver, supplier, and prescribing
13 practitioner;

14 “(v) evaluating the ability of the bene-
15 ficiary to operate the equipment safely and
16 effectively;

17 “(vi) providing infection control infor-
18 mation and instructions about all equip-
19 ment and supplies;

20 “(vii) providing equipment-related
21 services, including checking oxygen system
22 purity levels and flow rates, changing and
23 cleaning filters, and assuring the integrity
24 of alarms and back-up systems, consistent
25 with the manufacturer specifications and

1 in accordance with all Federal, State, and
2 local laws and regulations;

3 “(viii) monitoring visits when nec-
4 essary by appropriate personnel, including
5 a respiratory therapist to evaluate all as-
6 pects of the services being provided to the
7 beneficiary by the provider;

8 “(ix) documenting exception reporting
9 by the supplier to the prescribing physician
10 when changes occur in the compliance of
11 the beneficiary with the beneficiary’s plan
12 of care;

13 “(x) providing, as needed, continued
14 education to the beneficiary or caregiver
15 regarding appropriate oxygen equipment
16 maintenance practices and performance;

17 “(xi) providing, as prescribed by the
18 plan of care of the prescribing practitioner,
19 appropriate oxygen and oxygen related
20 equipment, supplies, and services (includ-
21 ing supplemental supplies and emergency
22 oxygen back-ups as appropriate);

23 “(xii) ensuring oxygen and oxygen
24 equipment can be used appropriately out-

1 side the home of a beneficiary based on ne-
2 cessity;

3 “(xiii) providing 24-hour on-call cov-
4 erage to respond to beneficiary needs relat-
5 ing to oxygen and oxygen related equip-
6 ment, supplies, and services; and

7 “(xiv) assisting the beneficiary with
8 the coordination of oxygen and oxygen re-
9 lated equipment, supplies, and services, in-
10 cluding by assisting the beneficiary find a
11 different supplier if the beneficiary tempo-
12 rarily travels outside of the service area of
13 the supplier. If the beneficiary relocates
14 permanently, the new supplier caring for
15 the beneficiary will assume responsibility
16 for billing the Medicare program directly.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall take effect on the date that is 1 year
19 after the date of enactment of this Act.

20 **SEC. 103. TECHNICAL CORRECTIONS.**

21 Section 1861(n) is amended by striking “iron lungs,
22 oxygen tents” and inserting “oxygen and oxygen related
23 equipment, supplies, and services”.

1 **TITLE II—PROTECTING BENE-**
2 **FICIARY ACCESS TO RES-**
3 **PIRATORY THERAPISTS**

4 **SEC. 201. REIMBURSEMENT FOR RESPIRATORY THERA-**
5 **PISTS.**

6 (a) PROTECTING ACCESS TO RESPIRATORY THERA-
7 PIST SERVICES.—

8 (1) ADDING RESPIRATORY THERAPIST SERV-
9 ICES TO THE DEFINITION OF MEDICAL AND OTHER
10 HEALTH SERVICES.—Section 1861(s)(2) of the So-
11 cial Security Act (42 U.S.C. 1395x(s)(2)) is amend-
12 ed—

13 (A) in subparagraph (JJ), by inserting
14 “and” after the semicolon; and

15 (B) by adding at the end the following new
16 subparagraph:

17 “(KK) respiratory therapist services (as
18 defined in subsection (nnn)) furnished on or
19 after January 1, 2025.”.

20 (2) DEFINITION OF RESPIRATORY THERAPIST
21 SERVICES.—Section 1861 of the Social Security Act
22 (42 U.S.C. 1395x) is amended by adding at the end
23 the following new subsection:

24 “(nnn) RESPIRATORY THERAPIST SERVICES.—The
25 term ‘respiratory therapist services’ means services per-

1 formed by a respiratory therapist within the scope of prac-
2 tice of a respiratory therapist as defined by State law, reg-
3 ulations, and applicable accreditation standards for the as-
4 sessment, treatment, and monitoring of patients requiring
5 oxygen and oxygen related equipment, supplies, or serv-
6 ices.”.

7 (b) ADD-ON PAYMENT ADJUSTMENT.—Section
8 1834(a)(9) of the Social Security Act (42 U.S.C.
9 1395m(a)(9)), as amended by sections 101(b) and 102(a),
10 is further amended by adding at the end the following new
11 subparagraph:

12 “(H) MONTHLY PAYMENT ADD-ON AD-
13 JUSTMENT FOR RESPIRATORY THERAPIST SERV-
14 ICES.—For respiratory therapist services fur-
15 nished on or after January 1, 2025, the Sec-
16 retary shall implement through notice and com-
17 ment rulemaking and in consultation with
18 stakeholders a non-budget neutral add-on pay-
19 ment adjustment to the payment amount estab-
20 lished under this paragraph that reflects the
21 cost of providing respiratory therapist services
22 as clinically appropriate under State law.”.

1 **TITLE III—ADOPTION OF**
2 **ELECTRONIC TEMPLATES**

3 **SEC. 301. USE OF ELECTRONIC TEMPLATES TO DOCUMENT**
4 **MEDICAL NECESSITY AND RESTORING CLIN-**
5 **ICAL INFERENCE FOR OXYGEN AND OXYGEN**
6 **RELATED EQUIPMENT, SUPPLIES, AND SERV-**
7 **ICES.**

8 (a) **ADOPTING ELECTRONIC TEMPLATES FOR DE-**
9 **TERMINING MEDICAL NECESSITY.**—Section 1834(a)(5) of
10 the Social Security Act (42 U.S.C. 1395m(a)(5)) is
11 amended by adding at the end the following:

12 “(G) **ADOPTION OF ELECTRONIC TEM-**
13 **PLATES TO DOCUMENT MEDICAL NECESSITY.**—

14 “(i) **IN GENERAL.**—For any oxygen
15 and oxygen related equipment, supplies or
16 service, including liquid oxygen, furnished
17 on or after January 1, 2025, the Secretary
18 shall adopt a template in an electronic for-
19 mat that meets the requirements of clause
20 (ii) to be completed by the prescribing
21 practitioner (as defined by the Secretary)
22 that shall constitute the complete request
23 for information to determine whether pay-
24 ment for such service, equipment, or sup-
25 plies is covered by this title and is reason-

1 able and necessary for the diagnosis or
2 treatment of illness or injury (under sec-
3 tion 1862(a)(1)(A)).

4 “(ii) **TEMPLATE REQUIREMENTS.**—

5 The template shall require the prescribing
6 practitioner to provide each of the fol-
7 lowing:

8 “(I) Documentation that the ben-
9 eficiary was seen by a prescribing
10 practitioner within the appropriate
11 timeframes for certification of the
12 need for the services, equipment, or
13 supplies.

14 “(II) Documentation of the quali-
15 fying blood gas or saturation test re-
16 sults.

17 “(III) Documentation indicating
18 that the beneficiary needs or is using
19 the appropriate equipment, supplies,
20 and services.

21 “(IV) Any other documentation
22 determined appropriate by the Sec-
23 retary, except the Secretary shall not
24 require the prescribing practitioner to

1 provide medical record notes regard-
2 ing the beneficiary.

3 “(iii) CONTRACTOR ADJUDICATION.—

4 The Secretary shall require Medicare ad-
5 ministrative contractors to adjudicate
6 claims for payment for oxygen and oxygen
7 related equipment, supplies, and services
8 using electronic transactions.

9 “(H) RESTORATION OF CLINICAL INFER-
10 ENCE AND JUDGMENT.—For claims submitted
11 on or after the date of enactment of this sub-
12 paragraph with respect to the conduct of pay-
13 ment audits of suppliers of oxygen and oxygen
14 related equipment, supplies, and services under
15 this part the Secretary shall use clinical infer-
16 ence and clinical judgment in the evaluation of
17 templates, medical records, and orders when
18 conducting such audits in the same manner as
19 the Secretary interpreted and applied such clin-
20 ical judgment to claim reviews before 2009 pur-
21 suant to the Secretary’s instruction to contrac-
22 tors.”.

1 **TITLE IV—ESTABLISHMENT OF**
2 **BENEFICIARY RIGHTS**

3 **SEC. 401. ESTABLISHING PROTECTIONS FOR INDIVIDUALS**
4 **RECEIVING OXYGEN OR OXYGEN RELATED**
5 **EQUIPMENT, SUPPLIES, OR SERVICES.**

6 Section 1834(a)(5) of the Social Security Act (42
7 U.S.C. 1395m(a)(5)), as amended by section 301, is fur-
8 ther amended by adding at the end the following new sub-
9 paragraph:

10 “(I) ESTABLISHING PROTECTIONS FOR IN-
11 DIVIDUALS RECEIVING OXYGEN OR OXYGEN RE-
12 LATED EQUIPMENT, SUPPLIES, OR SERVICES.—
13 The Secretary shall establish through regulation
14 protections for any individual receiving oxygen
15 or oxygen related equipment, supplies, or serv-
16 ices under this part where such individual shall
17 have the right to—

18 “(i) choose the local supplier of such
19 services from among qualified suppliers
20 and to change such supplier;

21 “(ii) receive communications from the
22 supplier in a clear and understandable
23 manner;

24 “(iii) ensure privacy and confiden-
25 tiality in all aspects of treatment and the

1 personal health information of such indi-
2 vidual consistent with Federal and State
3 laws;

4 “(iv) be informed by the supplier of
5 such services about all aspects of the serv-
6 ices being furnished by such supplier and
7 be informed of the right to refuse treat-
8 ment, to discontinue treatment, and to
9 refuse to participate in experimental re-
10 search;

11 “(v) be informed by the supplier of
12 policies and expectations of the supplier re-
13 garding patient conduct and responsibil-
14 ities;

15 “(vi) be informed by the supplier
16 about treatment modalities and categories
17 of equipment relating to oxygen services
18 for use by the individual and offered by the
19 supplier;

20 “(vii) be informed by the supplier of
21 the policies of such supplier regarding 24-
22 hour on-call coverage;

23 “(viii) be informed by the supplier of
24 the financial responsibilities of the indi-
25 vidual with regard to such services;

1 “(ix) be provided with the appropriate
2 gaseous or liquid oxygen equipment, sup-
3 plies, and services to ensure the mobility of
4 the beneficiary, as well as the clinically ap-
5 propriate amount of oxygen and oxygen re-
6 lated equipment, supplies, and services as
7 agreed upon by the individual (or the indi-
8 vidual’s representative), the supplier, and
9 the prescribing practitioner;

10 “(x) receive equipment that is main-
11 tained to the guidelines of the manufac-
12 turer;

13 “(xi) have broken or faulty equipment
14 repaired or replaced in a timely manner;

15 “(xii) have oxygen or oxygen related
16 equipment or supplies delivered by the sup-
17 plier and to be contacted consistent with
18 the requirements of section 410.38 of title
19 42, Code of Federal Regulations;

20 “(xiii) be informed by the supplier of
21 any potential changes to the equipment,
22 supplies, or services of the individual and
23 the right to consult with the prescribing
24 practitioner of the individual regarding
25 such changes to ensure they are appro-

1 appropriate and necessary and to be informed of
2 the exceptions, as specified by the Sec-
3 retary, when a supplemental oxygen serv-
4 ices supplier may change the oxygen equip-
5 ment of the individual;

6 “(xiv) be informed by the supplier of
7 the internal and external grievance proc-
8 esses of the supplier (as well as how to
9 contact Medicare through a hotline or ben-
10 efiary ombudsman), which shall include
11 the right of an individual to file, personally
12 or through a representative of the individ-
13 ual’s choosing, an internal or external
14 grievance without retaliation or denial of
15 services;

16 “(xv) in the case of a supplier invol-
17 untary discharging an individual—

18 “(I) receive from such supplier a
19 written notice that is provided to the
20 individual no later than 30 days in
21 advance of the involuntary discharge
22 of the individual; and

23 “(II) have such supplier—

1 “(aa) follow established in-
2 voluntary discharge procedures;
3 or

4 “(bb) in the case of an im-
5 mediate threat to the health and
6 safety of others, follow an abbrev-
7 viated involuntary discharge pro-
8 cedure;

9 “(xvi) be assisted by the supplier in
10 obtaining the oxygen equipment and sup-
11 plies prescribed by the treating physician
12 of the individual when the individual is
13 traveling;

14 “(xvii) receive from the supplier oxy-
15 gen supplies, refills, and emergency back-
16 up equipment, as appropriate; and

17 “(xviii) be informed of a plan by the
18 supplier in case of a power outage or other
19 natural emergency, so that the individual
20 will continue to receive the necessary oxy-
21 gen supplies and equipment.”.

○