

113TH CONGRESS
1ST SESSION

S. 636

To amend title XVIII of the Social Security Act to allow certain hospitals in Puerto Rico to qualify for incentives for adoption and meaningful use of certified EHR Technology under the Medicare program.

IN THE SENATE OF THE UNITED STATES

MARCH 21, 2013

Mr. MENENDEZ (for himself and Mr. RUBIO) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to allow certain hospitals in Puerto Rico to qualify for incentives for adoption and meaningful use of certified EHR Technology under the Medicare program.

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 “Puerto Rico Hospital
5 HITECH Amendments Act of 2013”.

1 **SEC. 2. APPLICATION OF MEDICARE HITECH PAYMENTS TO**
2 **HOSPITALS IN PUERTO RICO.**

3 (a) IN GENERAL.—Subsection (n)(6)(B) of section
4 1886 of the Social Security Act (42 U.S.C. 1395ww) is
5 amended by striking “subsection (d) hospital” and insert-
6 ing “hospital that is a subsection (d) hospital or a sub-
7 section (d) Puerto Rico hospital”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) Subsection (b)(3)(B)(ix) of section 1886 of
10 the Social Security Act is amended—

11 (A) in subclause (I), by striking
12 “(n)(6)(A)” and inserting “(n)(6)(B)”; and

13 (B) in subclause (II), by striking “a sub-
14 section (d) hospital” and inserting “an eligible
15 hospital”.

16 (2) Paragraphs (2) and (4)(A) of section
17 1853(m) of the Social Security Act (42 U.S.C.
18 1395w–23(m)) are each amended by striking
19 “1886(n)(6)(A)” and inserting “1886(n)(6)(B)”.

20 (c) IMPLEMENTATION.—Notwithstanding any other
21 provision of law, the Secretary of Health and Human
22 Services may implement the amendments made by this
23 section by program instruction or otherwise.

24 (d) EFFECTIVE DATE.—The amendments made by
25 this section shall apply as if included in the enactment
26 of the American Recovery and Reinvestment Act of 2009

1 (Public Law 111–3), except that, in order to take into ac-
2 count delays in the implementation of this section, in ap-
3 plying subsections (b)(3)(B)(ix), (n)(2)(E)(ii), and
4 (n)(2)(G)(i) of section 1886 of the Social Security Act as
5 amended by this section, any reference in such subsections
6 to a particular year shall be treated with respect to a sub-
7 section (d) Puerto Rico hospital as a reference to the year
8 that is 2 years after such particular year.

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