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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To prevent across-the-board direct spending cuts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. YARMUTH introduced the following bill; which was referred to the
Committee on _____

A BILL

To prevent across-the-board direct spending cuts, 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. PREVENTING PAYGO SEQUESTRATION.**

4 The budgetary effects of the American Rescue Plan
5 Act of 2021 shall not be entered on either PAYGO score-
6 card maintained pursuant to section 4(d) of the Statutory
7 Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

1 **SEC. 2. EXTENSION OF TEMPORARY SUSPENSION OF MEDI-**
2 **CARE SEQUESTRATION.**

3 (a) IN GENERAL.—Section 3709(a) of division A of
4 the CARES Act (2 U.S.C. 901a note) is amended by strik-
5 ing “March 31, 2021” and inserting “December 31,
6 2021”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall take effect as if enacted as part of
9 the CARES Act (Public Law 116–136).

10 **SEC. 3. TECHNICAL CORRECTIONS.**

11 (a) DISREGARD OF CERTAIN ADDITIONAL COM-
12 PENSATION FOR PURPOSES OF MEDICAID AND CHIP.—
13 Section 2104(h) of the CARES Act (15 U.S.C. 9023(h))
14 is amended by striking “Federal pandemic unemployment
15 compensation” and inserting “Federal Pandemic Unem-
16 ployment Compensation or Mixed Earner Unemployment
17 Compensation”.

18 (b) RURAL HEALTH CLINIC PAYMENTS.—

19 (1) IN GENERAL.—Section 1833(f)(3) of the
20 Social Security Act (42 U.S.C. 1395l(f)(3)) is
21 amended—

22 (A) in subparagraph (A)—

23 (i) in clause (i), by striking subclauses

24 (I) and (II) and inserting the following:

25 “(I) with respect to a rural health
26 clinic that had a per visit payment amount

1 established for services furnished in
2 2020—

3 “(aa) the per visit payment
4 amount applicable to such rural
5 health clinic for rural health clinic
6 services furnished in 2020, increased
7 by the percentage increase in the MEI
8 applicable to primary care services
9 furnished as of the first day of 2021;
10 or

11 “(bb) the limit described in para-
12 graph (2)(A); and

13 “(II) with respect to a rural health
14 clinic that did not have a per visit payment
15 amount established for services furnished
16 in 2020—

17 “(aa) the per visit payment
18 amount applicable to such rural
19 health clinic for rural health clinic
20 services furnished in 2021; or

21 “(bb) the limit described in para-
22 graph (2)(A); and”; and

23 (ii) in clause (ii)(I), by striking
24 “under clause (i)(I)” and inserting “under

1 subclause (I) or (II) of clause (i), as appli-
2 cable,”; and

3 (B) in subparagraph (B)—

4 (i) in the matter preceding clause (i),
5 by striking “2019, was” and inserting
6 “2020”;

7 (ii) in clause (i), by inserting “was”
8 after “(i)”; and

9 (iii) by striking clause (ii) and insert-
10 ing the following:

11 “(ii)(I) was enrolled under section 1866(j)
12 (including temporary enrollment during the
13 emergency period described in section
14 1135(g)(1)(B) for such period); or

15 “(II) submitted an application for enroll-
16 ment under section 1866(j) (or requested such
17 a temporary enrollment for such period) that
18 was received not later than December 31,
19 2020.”.

20 (2) EFFECTIVE DATE.—The amendments made
21 by this subsection shall take effect as if included in
22 the enactment of the Consolidated Appropriations
23 Act, 2021 (Public Law 116–260).

1 (c) ELIGIBILITY FOR REEMPLOYMENT SERVICES.—
2 Section 306(a) of the Social Security Act (42 U.S.C.
3 506(a)) is amended—

4 (1) by striking “individuals referred to reem-
5 ployment services as described in section 303(j)”
6 and inserting “claimants for unemployment com-
7 pensation, including claimants referred to reemploy-
8 ment services as described in section 303(j),”; and

9 (2) by striking “such individuals” and inserting
10 “such claimants”.

11 (d) ADDITIONAL AMOUNT FOR CERTAIN HOSPITALS
12 WITH HIGH DISPROPORTIONATE SHARE.—Effective as
13 if included in the enactment of section 203(a) of title II
14 of division CC of Public Law 116–260, subsection (g) of
15 section 1923 of the Social Security Act (42 U.S.C. 1396r–
16 4) amended by such section 203(a) is amended by adding
17 at the end the following new paragraph:

18 “(3) ADDITIONAL AMOUNT FOR CERTAIN HOS-
19 PITALS WITH HIGH DISPROPORTIONATE SHARE.—

20 “(A) IN GENERAL.—In the case of a hos-
21 pital with high disproportionate share (as de-
22 fined in subparagraph (B)) located in a State
23 referenced in subsection (e) of section 4721 of
24 the Balanced Budget Act of 1997, a payment
25 adjustment during a State fiscal year shall be

1 considered consistent with subsection (c) if the
2 payment adjustment does not exceed 175 per-
3 cent of the costs of furnishing hospital services
4 during the year, but only if the Governor of the
5 State certifies to the satisfaction of the Sec-
6 retary that the hospital's applicable minimum
7 amount is used for health services during the
8 year. In determining the amount that is used
9 for such services during a year, there shall be
10 excluded any amounts received under the Public
11 Health Service Act, title V, title XVIII, or from
12 third party payors (not including the State plan
13 under this title) that are used for providing
14 such services during the year.

15 “(B) HOSPITAL WITH HIGH
16 DISPROPORTIONATE SHARE DEFINED.—In
17 subparagraph (A), a hospital is a ‘hospital with
18 high disproportionate share’ if—

19 “(i) the hospital is owned or operated
20 by the State (or by an instrumentality or
21 a unit of government within the State);
22 and

23 “(ii) the hospital—

1 “(I) meets the requirement de-
2 scribed in subparagraphs (A) or (B)
3 of subsection (b)(1); or

4 “(II) has the largest number of
5 inpatient days attributable to individ-
6 uals entitled to benefits under the
7 State plan of any hospital in such
8 State for the previous fiscal year.

9 “(C) APPLICABLE MINIMUM AMOUNT DE-
10 FINED.—In subparagraph (A), the ‘applicable
11 minimum amount’ for a hospital for a fiscal
12 year is equal to the difference between the
13 amount of the hospital’s payment adjustment
14 for the fiscal year and the costs to the hospital
15 of furnishing hospital services described in
16 paragraph (1)(A) during the fiscal year.”.