

Consolidated Appropriations Act, 2023

17 **SEC. 4143. WAIVER OF CAP ON ANNUAL PAYMENTS FOR**
18 **NURSING AND ALLIED HEALTH EDUCATION**
19 **PAYMENTS.**

20 (a) *IN GENERAL.*—Section 1886(l)(2)(B) of the Social
21 Security Act (42 U.S.C. 1395ww(l)(2)(B)) is amended—
22 (1) by striking “PAYMENTS.—Such ratio” and
23 inserting “PAYMENTS.—
24 “(i) *IN GENERAL.*—Subject to clause
25 (ii), such ratio”; and

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1 (2) by adding at the end the following new
2 clause:
3 “(ii) *EXCEPTION TO ANNUAL LIMITA-*
4 *TION FOR EACH OF 2010 THROUGH 2019.*—
5 *For each of 2010 through 2019, the limita-*
6 *tion under clause (i) on the total amount of*
7 *additional payments for nursing and allied*
8 *health education to be distributed to hos-*
9 *pitals under this subsection for portions of*
10 *cost reporting periods occurring in the year*
11 *shall not apply to such payments made in*
12 *such year to those hospitals that, as of the*
13 *date of the enactment of this clause, are op-*
14 *erating a school of nursing, a school of al-*
15 *lied health, or a school of nursing and allied*
16 *health.”.*

17 (b) *NO AFFECT ON PAYMENTS FOR DIRECT GRADUATE*
18 *MEDICAL EDUCATION.*—Section 1886(h)(3)(D)(iii) of the
19 Social Security Act (42 U.S.C. 1395ww(h)(3)(D)(iii)) is
20 amended by adding at the end the following sentence: “In
21 applying the preceding sentence for each of 2010 through
22 2019, the Secretary shall not take into account any increase
23 in the total amount of such additional payment amounts
24 for such nursing and allied health education for portions
25 of cost reporting periods occurring in the year pursuant

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1 to the application of paragraph (2)(B)(ii) of such sub-
2 section.”.
3 (c) *RETROACTIVE APPLICATION.*—The amendments
4 made by this section shall apply to payments made for por-
5 tions of cost reporting periods occurring in 2010 through
6 2019.
7 (d) *FUNDING.*—In addition to amounts otherwise
8 available, there is appropriated to the Centers for Medicare
9 & Medicaid Services Program Management Account for fis-
10 cal year 2023, out of any amounts in the Treasury not oth-
11 erwise appropriated, \$3,000,000, to remain available until
12 expended, for purposes of carrying out the amendments
13 made by this section.