

**[DISCUSSION DRAFT]**118<sup>TH</sup> CONGRESS  
2D SESSION**H. R. \_\_\_\_**

To amend title XVIII of the Social Security Act to increase the cap on payment for nursing and allied health education for managed care enrollees under the Medicare program, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. LAHOOD introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title XVIII of the Social Security Act to increase the cap on payment for nursing and allied health education for managed care enrollees under the Medicare program, 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. SHORT TITLE.**

4 This Act may be cited as the “Rebuild America’s  
5 Health Care Schools Act of 2024”.

1 **SEC. 2. INCREASING CAP ON PAYMENT FOR NURSING AND**  
2 **ALLIED HEALTH EDUCATION FOR MANAGED**  
3 **CARE ENROLLEES.**

4 Section 1886(l)(2)(B) of the Social Security Act (42  
5 U.S.C. 1395ww(l)(2)(B)) is amended—

6 (1) in clause (i), by striking “\$60,000,000” and  
7 inserting “the limitation amount specified in clause  
8 (iii)”; and

9 (2) by adding at the end the following new  
10 clause:

11 “(iii) LIMITATION AMOUNT.—For pur-  
12 poses of clause (i), the limitation amount  
13 specified in this clause is—

14 “(I) for a year before 2025,  
15 \$60,000,000; and

16 “(II) for 2025 and each subse-  
17 quent year, \$140,000,000.”.

18 **SEC. 3. ADJUSTING ALLOWABLE DIRECT AND INDIRECT**  
19 **COSTS FOR NURSING AND ALLIED HEALTH**  
20 **EDUCATION PROGRAMS.**

21 Section 1861(v)(1) of the Social Security Act (42  
22 U.S.C. 1395x(v)(1)) is amended by adding at the end the  
23 following new subparagraph:

24 “(X) (i) In determining such reasonable  
25 costs for nursing and allied health education  
26 (as described in section 1886(l)) furnished by

1. a hospital or hospital authority, beginning with  
respect to cost

2. reporting periods ~~upon date of enactment~~ the  
Secretary

3. shall include as reasonable costs

4. the direct and indirect costs

5. incurred by the nursing and allied

6. health education program regardless

7. of whether:

8. (I) such costs were allocated to  
9. the nursing and allied health education  
10. program by the hospital operating the  
11. program or a related entity; or

12. (II) such costs were associated  
13. with training of a nursing and allied health  
14. education program participant at the operating  
15. hospital or a related entity; and

16. (ii) For the purposes of section 1396x(v)(1)  
17. (X)(i), related entity shall mean any entity that  
18. owns or controls, or is under common ownership  
19. and control of, the hospital operating the nursing  
20. and allied health education program, and  
21. common control shall mean any entity controlled  
22. by the same entity that controls the operating

1 hospital, including any entity:  
2 (I) in which the operating hospital or hospital  
authority is the sole corporate member;  
3 (II) that is the sole corporate member  
4 of the operating hospital;  
5 (III) that is part of the same ~~legal entity as~~  
6 the operating hospital; or  
7 (V) that shares a board with the operating  
8 hospital.

9 **SEC. 4. ALLOWING HEALTH SYSTEMS AND HOSPITAL-**  
10 **BASED SCHOOLS TO PROVIDE CLINICAL**  
11 **TRAINING AND SUPPORT.**

12 (a) IN GENERAL.—Not later than 120 days after the  
13 date of the enactment of this section, the Secretary of  
14 Health and Human Services shall revise section 413.85(g)  
15 of title 42, Code of Federal Regulations, to be consistent  
16 with 42 U.S.C. 1395x(v)(1)(X) as amended.

17 (b) PROHIBITING RECOUPMENT OF CERTAIN COSTS  
18 UNDER MEDICARE.—

19 (1) IN GENERAL.—During the period beginning  
20 on the date of the enactment of this section and  
21 ending on the date on which the revisions described  
22 in subsection (a) take effect, the Secretary of Health  
23 and Human Services may not recoup or reduce pay-  
24 ments made to a hospital under part A of title  
25 XVIII of the Social Security Act (42 U.S.C. 1395c

26 et seq.) for costs related to an approved nursing or  
27 allied health education program that are included on  
28 the Medicare cost report for such hospital if such  
29 costs would be allowable after such revisions take ef-  
30 fect.

31 (2) REFUND OF AMOUNTS RECOUPED.—If, dur-  
32 ing the 6-year period ending on the date of the en-  
33 actment of this section, the Secretary recouped or  
34 reduced payments made to a hospital under such  
35 part A for costs described in paragraph (1), the Sec-  
36 retary shall refund to the hospital the amount so re-  
37 couped or reduced.



