

112TH CONGRESS
1ST SESSION

H. R. 2468

To ensure that home health agencies can assign the most appropriate skilled professional to conduct the initial assessment visit and complete the comprehensive assessment for home health services for Medicare beneficiaries requiring rehabilitation therapy under a home health plan of care, based upon physician referral.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2011

Mr. BOUSTANY (for himself and Mr. LEWIS of Georgia) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 ensure that home health agencies can assign the most appropriate skilled professional to conduct the initial assessment visit and complete the comprehensive assessment for home health services for Medicare beneficiaries requiring rehabilitation therapy under a home health plan of care, based upon physician referral.

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.**

2 This Act may be cited as the “Medicare Home Health
3 Flexibility Act of 2011”.

4 **SEC. 2. PERMITTING HOME HEALTH AGENCIES TO ASSIGN**
5 **THE MOST APPROPRIATE SKILLED PROFES-**
6 **SIONAL TO CONDUCT THE INITIAL ASSESS-**
7 **MENT VISIT AND COMPLETE THE COM-**
8 **PREHENSIVE ASSESSMENT UNDER A MEDI-**
9 **CARE HOME HEALTH PLAN OF CARE FOR RE-**
10 **HABILITATION CASES.**

11 (a) IN GENERAL.—Notwithstanding paragraphs
12 (a)(2) and (b)(3) of section 484.55 of title 42 of the Code
13 of Federal Regulations or any other provision of law, a
14 home health agency may determine the most appropriate
15 skilled professional to conduct the initial assessment visit
16 and to complete the comprehensive assessment for an indi-
17 vidual who is eligible for home health services under title
18 XVIII of the Social Security Act but who does not require
19 skilled nursing care as long as the skilled service (for
20 which such therapist is qualified to provide the service)
21 is initially ordered by the physician and, in the case of
22 a referral order that includes occupational therapy, the
23 order also includes physical therapy or speech language
24 pathology.

25 (b) RULE OF CONSTRUCTION.—Nothing in sub-
26 section (a) shall be construed to provide for initial eligi-

- 1 bility for coverage of home health services under title
- 2 XVIII of the Social Security Act on the basis of a need
- 3 for occupational therapy.

