

118TH CONGRESS
1ST SESSION

H. R. 1129

To direct the Secretary of Health and Human Services to revise regulations to remove the requirement under the Medicare program that an off-campus facility or organization shall be located within a 35-mile radius of a hospital or critical access hospital.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 2023

Mr. GREEN of Tennessee introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 direct the Secretary of Health and Human Services to revise regulations to remove the requirement under the Medicare program that an off-campus facility or organization shall be located within a 35-mile radius of a hospital or critical access hospital.

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 cited as the “Rural ER Access Act”.

1 **SEC. 2. REMOVING LOCATION REQUIREMENTS UNDER THE**
2 **MEDICARE PROGRAM APPLICABLE TO OFF-**
3 **CAMPUS FACILITIES OR ORGANIZATIONS.**

4 Not later than 60 days after the date of the enact-
5 ment of this Act, the Secretary of Health and Human
6 Services shall revise section 413.65(e)(3)(i) of title 42,
7 Code of Federal Regulations (or any successor regulation),
8 to remove the requirement under the Medicare program
9 that an off-campus facility or organization shall be located
10 within a 35-mile radius of the campus of a hospital or
11 critical access hospital that is the potential main provider
12 to meet the location requirements to be eligible for pro-
13 vider-based status.

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