

116TH CONGRESS  
2D SESSION

# S. 3823

To ensure that a portion of funds appropriated to the Public Health and Social Services Emergency Fund for payments to eligible health care providers is reserved for such providers located in rural areas, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 21, 2020

Mr. MANCHIN (for himself, Mrs. HYDE-SMITH, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To ensure that a portion of funds appropriated to the Public Health and Social Services Emergency Fund for payments to eligible health care providers is reserved for such providers located in rural areas, 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 “Save Our Rural Health  
5 Providers Act”.

1 **SEC. 2. RESERVATION OF FUNDING FOR RURAL HEALTH**  
2 **CARE PROVIDERS.**

3 (a) IN GENERAL.—Notwithstanding any other provi-  
4 sion of law, the Secretary of Health and Human Services  
5 (referred to in this section as the “Secretary”) shall re-  
6 serve not less than 20 percent of all amounts described  
7 in subsection (b) for reimbursing, through grants or other  
8 mechanisms, eligible rural health care providers for health  
9 care related expenses or lost revenues that are attributable  
10 to coronavirus.

11 (b) AMOUNTS.—The amounts described in this sub-  
12 section are each of the following:

13 (1) The unobligated balance of the appropria-  
14 tion of \$100,000,000,000 in the third paragraph  
15 under the heading “Department of Health and  
16 Human Services—Office of the Secretary—Public  
17 Health and Social Services Emergency Fund” in di-  
18 vision B of the CARES Act (Public Law 116–136).

19 (2) The unobligated balance of the appropria-  
20 tion under the heading “Department of Health and  
21 Human Services—Office of the Secretary—Public  
22 Health and Social Services Emergency Fund” in di-  
23 vision B of the Paycheck Protection Program and  
24 Health Care Enhancement Act (Public Law 116–  
25 139).

1           (3) Any unobligated balance of an appropria-  
2           tion under any other provision of law enacted prior  
3           to the date of enactment of this section that is made  
4           available to the Public Health and Social Services  
5           Emergency Fund for the purpose of reimbursing,  
6           through grants or other mechanisms, health care  
7           providers for health care related expenses or lost  
8           revenues attributable to coronavirus.

9           (4) Any appropriation under any other provi-  
10          sion of law enacted subsequent to the date of enact-  
11          ment of this section that is made available to the  
12          Public Health and Social Services Emergency Fund  
13          for the purpose described in paragraph (3).

14          (c) PRIORITY.—In reimbursing eligible rural health  
15          care providers under this section, the Secretary shall give  
16          priority to such providers that—

17               (1) provide care for a disproportionately high  
18               percentage of individuals enrolled in the Medicare  
19               program under title XVIII of the Social Security Act  
20               (42 U.S.C. 1395 et seq.) or under a State Medicaid  
21               plan under title XIX of such Act (42 U.S.C. 1396  
22               et seq.) or under a waiver of such plan;

23               (2) provide care for populations with a dis-  
24               proportionately high percentage of—

25                       (A) individuals age 60 or older; or

1 (B) individuals who have co-morbidities  
 2 that make them particularly vulnerable to com-  
 3 plications from coronavirus; or

4 (3) provide care for populations—

5 (A) in areas with limited access to health  
 6 infrastructure; or

7 (B) with a high population of uninsured  
 8 individuals.

9 (d) REQUIREMENTS FOR REIMBURSEMENT.—

10 (1) IN GENERAL.—Reimbursements to eligible  
 11 rural health care providers under this section shall,  
 12 subject to subsection (c) and paragraph (2), be oth-  
 13 erwise provided in accordance with the applicable  
 14 provisions of law described in subsection (b).

15 (2) USE OF FUNDS.—Any reimbursements  
 16 under this section may be used for any purposes re-  
 17 lated to preventing, preparing for, or responding to  
 18 coronavirus, including purchasing equipment nec-  
 19 essary for such purposes or upgrading facilities for  
 20 such purposes.

21 (e) DEFINITION OF ELIGIBLE RURAL HEALTH CARE  
 22 PROVIDER.—In this section, the term “eligible rural  
 23 health care provider” means—

24 (1) any health care provider that—

1 (A) is eligible to receive payments under  
 2 any of the provisions of law described in sub-  
 3 section (b); and

4 (B) is located in a rural area, as defined  
 5 by the Secretary; or

6 (2) any health care provider that is—

7 (A) a critical access hospital, as defined in  
 8 section 1861(mm) of the Social Security Act  
 9 (42 U.S.C. 1395x(mm));

10 (B) a rural health clinic (as defined in sec-  
 11 tion 1861(aa)(2) of such Act (42 U.S.C.  
 12 1395x(aa)(2)));

13 (C) a hospital that—

14 (i) is classified as a rural referral cen-  
 15 ter under section 1886(d)(5)(C)(i) of such  
 16 Act (42 U.S.C. 1395ww(d)(5)(C)(i)); and

17 (ii) is a sole community hospital (as  
 18 defined in section 1886(d)(5)(D)(iii) of  
 19 such Act (42 U.S.C.  
 20 1395ww(d)(5)(D)(iii)); or

21 (D) any other health care service provider  
 22 located in a rural area, as defined by the Sec-  
 23 retary.

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