

116TH CONGRESS  
1ST SESSION

# H. R. 1358

To amend title XVIII of the Social Security Act to establish rules for payment for graduate medical education (GME) costs for hospitals that establish a new medical residency training program after hosting resident rotators for short durations.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2019

Mr. KIND (for himself, Mr. GALLAGHER, Mr. SENSENBRENNER, Ms. MOORE, Mr. DUFFY, Mr. POCAN, Mr. GROTHMAN, and Mr. STEIL) 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

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## A BILL

To amend title XVIII of the Social Security Act to establish rules for payment for graduate medical education (GME) costs for hospitals that establish a new medical residency training program after hosting resident rotators for short durations.

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 “Advancing Medical  
5 Resident Training in Community Hospitals Act of 2019”.

1 **SEC. 2. MEDICARE GME TREATMENT OF HOSPITALS ESTAB-**  
2 **LISHING NEW MEDICAL RESIDENCY TRAIN-**  
3 **ING PROGRAMS AFTER HOSTING MEDICAL**  
4 **RESIDENT ROTATORS FOR SHORT DURA-**  
5 **TIONS.**

6 (a) REDETERMINATION OF APPROVED FTE RESI-  
7 DENT AMOUNT.—Section 1886(h)(2)(F) of the Social Se-  
8 curity Act (42 U.S.C. 1395ww(h)(2)(F)) is amended—

9 (1) by inserting “(i)” before “In the case of”;  
10 and

11 (2) by adding at the end the following:

12 “(ii) In applying this subparagraph to a  
13 hospital that has not entered into a GME affili-  
14 ation agreement (as defined by the Secretary  
15 for purposes of paragraph (4)(H)(ii)), the Sec-  
16 retary shall not provide for the establishment of  
17 an FTE resident amount until such time as the  
18 Secretary determines that the hospital has a  
19 medical residency training program that trains  
20 more than 1.0 full-time-equivalent resident in a  
21 cost reporting period.

22 “(iii) In the case of a hospital with an ap-  
23 proved FTE resident amount—

24 “(I) based on the training of less than  
25 1.0 full-time-equivalent resident before Oc-  
26 tober 1, 1997, or

1           “(II) based on the training of no more  
2           than 3.0 full-time-equivalent residents in a  
3           medical residency training program in any  
4           cost reporting period beginning on or after  
5           October 1, 1997, and before the date of  
6           the enactment of this clause,  
7           the Secretary shall provide the hospital an op-  
8           portunity to have a new FTE resident amount  
9           established when the hospital begins training at  
10          least 1.0 full-time-equivalent resident (in the  
11          case of a hospital described in subclause (I)) or  
12          more than 3.0 full-time-equivalent residents (in  
13          the case of a hospital described in subclause  
14          (II)) for cost reporting periods beginning on or  
15          after the date of the enactment of this clause  
16          and in accordance with the methodology under  
17          the rules in effect as of October 1, 2015.”.

18          (b) REDETERMINATION OF FTE RESIDENT LIMITA-  
19          TION.—Section 1886(h)(4)(H)(i) of the Social Security  
20          Act (42 U.S.C. 1395ww(h)(4)(H)(i)) is amended—

21                 (1) by inserting “(I)” before “The Secretary”;

22                 and

23                 (2) by adding at the end the following:

24                         “(II) Under this clause the Secretary  
25                         shall not determine an adjustment in the

1 limitation applicable to a hospital under  
2 subparagraph (F) until the hospital trains  
3 more than 1.0 full-time-equivalent resident  
4 in a new medical residency training pro-  
5 gram in a cost reporting period.

6 “(III) In the case of a hospital that  
7 has a limitation under subparagraph (F) of  
8 less than 1.0 full-time-equivalent resident  
9 as of the date of the enactment of this sub-  
10 clause based on training before October 1,  
11 1997, under this clause the Secretary shall  
12 provide the hospital an opportunity to have  
13 a new adjustment in such limitation deter-  
14 mined when such hospital begins training  
15 at least 1.0 full-time-equivalent resident in  
16 accordance with the methodology applica-  
17 ble to hospitals under the rules in effect as  
18 of October 1, 2015, and applied for cost  
19 reporting periods beginning on or after the  
20 date of the enactment of this subclause.

21 “(IV) In the case of a hospital for  
22 which an adjustment in the limitation ap-  
23 plicable to a hospital under subparagraph  
24 (F) is based on the training of no more  
25 than 3.0 full-time-equivalent residents in a

1 new medical residency training program in  
2 a cost reporting period beginning on or  
3 after October 1, 1997, and before the date  
4 of the enactment of this subclause, the  
5 Secretary shall provide the hospital an op-  
6 portunity to have a new adjustment in  
7 such limitation determined when the hos-  
8 pital begins training more than 3.0 full-  
9 time-equivalent residents in accordance  
10 with the methodology applicable to hos-  
11 pitals under the rules in effect as of Octo-  
12 ber 1, 2015, and applied for cost reporting  
13 periods beginning on or after the date of  
14 the enactment of this subclause.”.

15 (c) EFFECTIVE DATE.—The amendments made by  
16 this section shall apply to payment under section 1886 of  
17 the Social Security Act (42 U.S.C. 1395ww) for cost re-  
18 porting periods beginning on or after the date of the en-  
19 actment of this Act.

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