

118TH CONGRESS
2D SESSION

H. R. 7931

To amend title XVIII of the Social Security Act to update the fee schedule for ambulance services provided by critical access hospitals.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2024

Mrs. MILLER of West Virginia (for herself and Ms. CARAVEO) 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 amend title XVIII of the Social Security Act to update the fee schedule for ambulance services provided by critical access hospitals.

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 “Preserving Emergency
5 Access in Key Sites Act” or the “PEAKS Act”.

1 **SEC. 2. UPDATE TO FEE SCHEDULE FOR AMBULANCE SERV-**
2 **ICES PROVIDED BY CRITICAL ACCESS HOS-**
3 **PITALS.**

4 Section 1834(l)(8) of the Social Security Act (42
5 U.S.C. 1395m(l)(8)) is amended in the flush left text fol-
6 lowing subparagraph (B) by inserting “(or, in the case of
7 mountainous terrain or in areas with only secondary roads
8 available, a 15-mile drive)” after “35-mile drive”.

9 **SEC. 3. TREATMENT OF HOSPITALS THAT MET MOUN-**
10 **TAINOUS TERRAIN OR SECONDARY ROADS**
11 **DISTANCE REQUIREMENT FOR DESIGNATION**
12 **AS CRITICAL ACCESS HOSPITAL.**

13 Section 1820(h) of the Social Security Act (42 U.S.C.
14 1395i-4(h)) is amended by adding at the end the following
15 new paragraph:

16 “(4) TREATMENT OF HOSPITALS THAT MET
17 MOUNTAINOUS TERRAIN OR SECONDARY ROADS DIS-
18 TANCE REQUIREMENTS FOR DESIGNATION.—

19 “(A) IN GENERAL.—Beginning January 1,
20 2025, in the case of a hospital described in sub-
21 paragraph (B), such hospital shall be deemed to
22 meet the 15-mile distance requirement for
23 mountainous terrain or secondary roads de-
24 scribed in subsection (c)(2)(B)(i)(I).

1 “(B) HOSPITAL DESCRIBED.—A hospital
2 described in this subparagraph is a hospital
3 that—

4 “(i) as of the date of enactment of
5 this paragraph, is designated as a critical
6 access hospital;

7 “(ii) demonstrates (in a manner deter-
8 mined by the Secretary) that the hospital
9 met the 15-mile distance requirement for
10 mountainous terrain or secondary roads
11 described in subsection (c)(2)(B)(i)(I) as of
12 the hospital’s last certification as a critical
13 access hospital; and

14 “(iii) after such date of enactment,
15 has a new hospital or other facility de-
16 scribed in this subsection that is located
17 not less than 10, but no more than 15,
18 miles from the hospital.

19 “(C) REGULATIONS.—Not later than 1
20 year after the date of enactment of this para-
21 graph, the Secretary shall promulgate regula-
22 tions to carry out this paragraph.”.

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