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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

# **H. R. 8244**

To amend titles XVIII and XIX of the Social Security Act ensure appropriate approval for certain skilled nursing facility and nursing facility nursing aide training and competency evaluation programs under the Medicare and Medicaid program.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. ESTES introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

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## **A BILL**

To amend titles XVIII and XIX of the Social Security Act ensure appropriate approval for certain skilled nursing facility and nursing facility nursing aide training and competency evaluation programs under the Medicare and Medicaid program.

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 “Ensuring Seniors’ Ac-  
5 cess to Quality Care Act”.

1 **SEC. 2. ENSURING APPROPRIATE APPROVAL FOR CERTAIN**  
2 **SKILLED NURSING FACILITY AND NURSING**  
3 **FACILITY NURSING AIDE TRAINING AND**  
4 **COMPETENCY EVALUATION PROGRAMS**  
5 **UNDER THE MEDICARE AND MEDICAID PRO-**  
6 **GRAM.**

7 (a) **MEDICARE.**—Section 1819(f)(2) of the Social Se-  
8 curity Act (42 U.S.C. 1395i–3(f)(2)) is amended—

9 (1) in subparagraph (B)(iii)—

10 (A) by striking “subparagraphs (C) and  
11 (D)” and inserting “subparagraph (C)”; and

12 (B) in subclause (I)—

13 (i) in item (b), by striking “or” at the  
14 end;

15 (ii) by amending item (c) to read as  
16 follows:

17 “(c) has been assessed a  
18 civil money penalty described in  
19 subsection (h)(2)(B)(ii) or sec-  
20 tion 1919(h)(2)(A)(ii) of not less  
21 than \$12,924 and has been cited  
22 for a deficiency relating to the  
23 quality of care provided to resi-  
24 dents of the facility; or”; and

25 (iii) by adding at the end the fol-  
26 lowing new item:

1 “(d) has been subject to a  
2 remedy described in clause (i) or  
3 (iii) of subsection (h)(2)(B), sub-  
4 section (h)(4), section  
5 1919(h)(1)(B)(i), or in clause (i),  
6 (iii), or (iv) of section  
7 1919(h)(2)(A), or”; and

8 (2) by striking subparagraph (D).

9 (b) MEDICAID.—Section 1919(f)(2) of the Social Se-  
10 curity Act (42 U.S.C. 1396r(f)(2)) is amended—

11 (1) in subparagraph (B)(iii)—

12 (A) in the matter preceding subclause (I),  
13 by striking “subparagraphs (C) and (D)” and  
14 inserting “subparagraph (C)”; and

15 (B) in subclause (I)—

16 (i) in item (b), by striking “or” at the  
17 end;

18 (ii) by amending item (c) to read as  
19 follows:

20 “(c) has been assessed a  
21 civil money penalty described in  
22 subsection (h)(2)(A)(ii) or section  
23 1819(h)(2)(B)(ii) of not less than  
24 \$12,924 and has been cited for a  
25 deficiency relating to the quality

1 of care provided to residents of  
2 the facility; or”; and

3 (iii) by adding at the end the fol-  
4 lowing new item:

5 “(d) has been subject to a  
6 remedy described in subsection  
7 (h)(1)(B)(i), clauses (i), (iii), or  
8 (iv) of subsection (h)(2)(A),  
9 clauses (i) or (iii) of section  
10 1819(h)(2)(B), or section  
11 1819(h)(4), or”; and  
12 (2) by striking subparagraph (D).