

Highlights of Legislation under Consideration by Congress that could Affect Hospitals and Health Systems

| Proposed Legislation | (H.R. 5378) Lower Costs, More Transparency Act | <u>Bipartisan Primary Care and Health Workforce Act</u> | (S. 1869) “The Site-based Invoicing and Transparency Enhancement (SITE) Act” | (H.R. 4473) The Medicare Patient Access to Cancer Treatment (MPACT) Act |
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| Site-neutral Payment | <ul style="list-style-type: none"> Cuts Medicare payments for drug administration services at off-campus HOPDs beginning in 2025 (delays implementation for rural and cancer hospitals by one year) More than \$4 billion cut over 10 years | <ul style="list-style-type: none"> Eliminates facility fees in the commercial insurance market for telehealth and E&M services | <ul style="list-style-type: none"> Cuts Medicare payments to all services furnished in grandfathered off-campus HOPDs, other than evaluation and management (E&M) services, which are already paid at a site-neutral rate, beginning in 2025 Estimated cut of \$34.3 billion over 10 years | <ul style="list-style-type: none"> Cuts Medicare payments to services related to cancer diagnosis and treatment at off-campus HOPDs beginning in 2025 Estimated cut of \$11.8 billion over 10 years |
| Outpatient Department Identifier | <ul style="list-style-type: none"> Requires each off-campus HOPD be assigned a separate unique health identifier and submit an attestation of compliance for each off-campus HOPD as a condition of payment in Medicare | <ul style="list-style-type: none"> Requires each off-campus HOPD to obtain a separate unique identifier and include it on all claims for services billed to commercial group health plans. Establishes civil monetary penalties for failing to comply. | <ul style="list-style-type: none"> Requires each off-campus HOPD to have a separate NPI to submit a claim for outpatient services to Medicare (including Medicare Advantage), a group health plan or health insurance issuer. Further, requires each off-campus HOPD to use a physician bill type to submit a claim to a group health plan or health insurance issuer. | n/a |
| Hospital Price Transparency | <ul style="list-style-type: none"> Codifies Hospital Price Transparency Rule Standardizes display formats Eliminates use of price estimator tools Sets civil monetary penalties at up to \$10 million | n/a | n/a | n/a |
| Legislative Activity | <p>Introduced by House Energy and Commerce Chair and Ranking Member, Ways and Means Chair, Education and Workforce Chair</p> <p>Potential House vote the week of Sept. 18</p> | <p>Introduced by Senate HELP Committee Chair Bernie Sanders (I-VT) and Sen. Roger Marshall (R-KS)</p> <p>Senate HELP Committee markup scheduled for Sept. 21</p> | <p>Introduced by Sens. Mike Braun (R-IN) and Maggie Hassan (D-NH)</p> | <p>Introduced by Reps. Jodey Arrington (R-TX), Debbie Lesko (R-AZ), Michael Burgess (R-TX)</p> |