

## Committee Print

(SHOWING THE TEXT OF H.R. 3227 AS FAVORABLY FORWARDED BY THE  
SUBCOMMITTEE ON HEALTH ON MAY 16, 2024)

118TH CONGRESS  
1ST SESSION

# H. R. 3227

To amend titles XVIII and XIX of the Social Security Act with respect  
to nursing facility requirements, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2023

Mr. ESTES (for himself and Mr. CONNOLLY) introduced the following bill;  
which was referred to the Committee on Energy and Commerce, and in  
addition to the Committee on Ways and Means, for a period to be subse-  
quently 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 titles XVIII and XIX of the Social Security Act  
with respect to nursing facility requirements, 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 “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) in the matter preceding subclause (I),  
11 by striking “subparagraphs (C) and (D)” and  
12 inserting “subparagraph (C)”; and

13 (B) in subclause (I)—

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

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

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

1 (iii) by adding at the end the fol-  
2 lowing new item:

3 “(d) has been subject to a  
4 remedy described in clause (i) or  
5 (iii) of subsection (h)(2)(B), sub-  
6 section (h)(4), section  
7 1919(h)(1)(B)(i), or in clause (i),  
8 (iii), or (iv) of section  
9 1919(h)(2)(A), or”; and

10 (2) by striking subparagraph (D).

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

13 (1) in subparagraph (B)(iii)—

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

17 (B) in subclause (I)—

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

20 (ii) by amending item (c) to read as  
21 follows:

22 “(c) has been assessed a  
23 civil money penalty described in  
24 subsection (h)(2)(A)(ii) or section  
25 1819(h)(2)(B)(ii) of not less than

1 \$12,924 and has been cited for a  
2 deficiency relating to the quality  
3 of care provided to residents of  
4 the facility; or”; and

5 (iii) by adding at the end the fol-  
6 lowing new item:

7 “(d) has been subject to a  
8 remedy described in subsection  
9 (h)(1)(B)(i), clauses (i), (iii), or  
10 (iv) of subsection (h)(2)(A),  
11 clauses (i) or (iii) of section  
12 1819(h)(2)(B), or section  
13 1819(h)(4), or”; and

14 (2) by striking subparagraph (D).