

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title XVIII of the Social Security Act to permanently extend certain in-home cardiopulmonary rehabilitation flexibilities established in response to COVID-19, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Ms. SINEMA (for herself, Mrs. BLACKBURN, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title XVIII of the Social Security Act to permanently extend certain in-home cardiopulmonary rehabilitation flexibilities established in response to COVID-19, 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 “Sustainable  
5 Cardiopulmonary Rehabilitation Services in the Home  
6 Act”.

1 **SEC. 2. CODIFYING VIRTUAL CARDIOPULMONARY REHA-**  
2 **BILITATION FLEXIBILITIES ESTABLISHED IN**  
3 **RESPONSE TO COVID-19.**

4 (a) IN GENERAL.—Section 1861(eee)(2) of the Social  
5 Security Act (42 U.S.C. 1395x(eee)(2)) is amended—

6 (1) in subparagraph (A)(ii), by inserting “, in-  
7 cluding in the home of an individual when furnished  
8 as a telehealth service through audio-visual real-time  
9 communications technology, or when such home is  
10 designated as a provider-based location of a hospital  
11 outpatient department” after “outpatient basis”;  
12 and

13 (2) in subparagraph (B), by inserting “, includ-  
14 ing through the virtual presence of such physician,  
15 physician assistant, nurse practitioner, or clinical  
16 nurse specialist, through audio-visual real-time com-  
17 munications technology” after “under the program”.

18 (b) EXPANDING ORIGINATING SITES.—Section  
19 1834(m) of the Social Security Act (42 U.S.C. 1395m(m))  
20 is amended—

21 (1) in paragraph (1), by striking “and (9)” and  
22 all that follows through “(as defined in paragraph  
23 (4)(E))” and inserting “, (9), and (10), the Sec-  
24 retary shall pay for telehealth services that are fur-  
25 nished via a telecommunications system by a physi-  
26 cian (as defined in section 1861(r)) or a practitioner

1 (as defined in paragraph (4)(E)), or by a hospital  
2 (as defined in section 1861(e))”;

3 (2) in paragraph (2)(A), by striking “or practi-  
4 tioner” each place that it appears and inserting “,  
5 practitioner, or hospital”;

6 (3) in paragraph (4)(A), by striking “or practi-  
7 tioner” and inserting “, practitioner, or hospital”;

8 (4) in paragraph (4)(C)—

9 (A) in clause (i), by striking “and (7)” and  
10 inserting “(7), and (10)”;

11 (B) in clause (ii)(X), by striking “para-  
12 graph (7)” and inserting “paragraphs (7) and  
13 (10)”;

14 (5) in paragraph (4)(F)(i), by striking “para-  
15 graph (8)” and inserting “paragraphs (8) and (10)”;  
16 and

17 (6) by adding at the end the following new  
18 paragraph:

19 “(10) TREATMENT OF CARDIAC REHABILITA-  
20 TION PROGRAM, INTENSIVE CARDIAC REHABILITA-  
21 TION PROGRAM, AND PULMONARY REHABILITATION  
22 PROGRAM VISITS FURNISHED THROUGH TELE-  
23 HEALTH.—In the case of items and services fur-  
24 nished on or after January 1, 2024, the geographic  
25 requirements described in paragraph (4)(C)(i) shall

1 not apply with respect to telehealth services for car-  
2 diac rehabilitation programs and intensive cardiac  
3 rehabilitation programs (as such terms are defined  
4 in section 1861(eee)) and pulmonary rehabilitation  
5 programs (as defined in section 1861(fff)) at an  
6 originating site described in subclauses (V) and (X)  
7 of paragraph (4)(C)(ii).”.

8 (c) AUTHORITY TO ESTABLISH STANDARDS AND  
9 ALLOW FOR CERTAIN PROGRAMS TO UTILIZE TELE-  
10 HEALTH SERVICES.—

11 (1) IN GENERAL.—Not later than 30 days after  
12 the date of enactment of this section, the Secretary  
13 of Health and Human Services shall—

14 (A) establish standards for the designation  
15 of the home of an individual with status as a  
16 provider-based organization of a hospital con-  
17 sistent with waivers issued through the Hospital  
18 Without Walls program for cardiac rehabilita-  
19 tion, pulmonary rehabilitation, and intensive  
20 cardiac rehabilitation; and

21 (B) include items and services furnished  
22 under cardiac rehabilitation program or under  
23 an intensive cardiac rehabilitation program (as  
24 such terms are defined in section 1861(eee) of  
25 the Social Security Act (42 U.S.C. 1395x(eee)),

1           or under a pulmonary rehabilitation program  
2           (as defined in section 1861(fff) of such Act (42  
3           U.S.C. 1395x(fff)) among telehealth services to  
4           be specified under section 1834(m)(4)(F) of  
5           such Act (42 U.S.C. 1395m(m)(4)(F)).

6           (2) **EFFECTIVE DATE.**—The standards estab-  
7           lished under paragraph (1) shall apply to items and  
8           services furnished on or after January 1, 2024.

9           (d) **IMPLEMENTATION.**—Notwithstanding any other  
10          provision of the law, the Secretary of Health and Human  
11          Services may implement the provisions of, and the amend-  
12          ments made by, this section by program instruction or oth-  
13          erwise.

14          (e) **EFFECTIVE DATE.**—The amendments made by  
15          subsections (a) and (b) shall apply to items and services  
16          furnished on or after January 1, 2024.