

In the House of Representatives, U. S.,

December 7, 2021.

Resolved, That the bill from the Senate (S. 610) entitled “An Act to address behavioral health and well-being among health care professionals.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Protecting Medicare and*
3 *American Farmers from Sequester Cuts Act”.*

4 ***SEC. 2. ADJUSTMENTS TO MEDICARE SEQUESTRATION RE-***
5 ***DUCTIONS.***

6 *(a) EXTENSION OF TEMPORARY SUSPENSION*
7 *THROUGH MARCH 2022.—*

8 *(1) IN GENERAL.—Section 3709(a) of division A*
9 *of the CARES Act (2 U.S.C. 901a note) is amended—*

10 *(A) in the subsection header by inserting*

11 *“AND ADJUSTMENT” after “SUSPENSION”; and*

12 *(B) by striking “December 31, 2021” and*
13 *inserting “March 31, 2022”.*

14 *(2) EFFECTIVE DATE.—The amendments made*
15 *by paragraph (1) shall take effect as if enacted as*
16 *part of the CARES Act (Public Law 116–136).*

1 **(b) ADJUSTMENTS TO MEDICARE PROGRAM SEQUES-**
 2 **TRATION REDUCTION WITH RESPECT TO FISCAL YEARS**
 3 **2022 AND 2030.**—*Section 251A(6) of the Balanced Budget*
 4 *and Emergency Deficit Control Act of 1985 (2 U.S.C.*
 5 *901a(6)) is amended—*

6 *(1) by redesignating subparagraph (C) as sub-*
 7 *paragraph (E); and*

8 *(2) by inserting after subparagraph (B) the fol-*
 9 *lowing new subparagraphs:*

10 *“(C) Notwithstanding the 2 percent limit*
 11 *specified in subparagraph (A) for payments for*
 12 *the Medicare programs specified in section*
 13 *256(d), the sequestration order of the President*
 14 *under such subparagraph for fiscal year 2022*
 15 *shall be applied to such payments so that with*
 16 *respect to the period beginning on April 1, 2022,*
 17 *and ending on June 30, 2022, the payment re-*
 18 *duction shall be 1.0 percent.*

19 *“(D) Notwithstanding the 2 percent limit*
 20 *specified in subparagraph (A) for payments for*
 21 *the Medicare programs specified in section*
 22 *256(d), the sequestration order of the President*
 23 *under such subparagraph for fiscal year 2030*
 24 *shall be applied to such payments so that—*

1 “(i) with respect to the first 6 months
 2 in which such order is effective for such fis-
 3 cal year, the payment reduction shall be
 4 2.25 percent; and

5 “(ii) with respect to the second 6
 6 months in which such order is so effective
 7 for such fiscal year, the payment reduction
 8 shall be 3 percent.”.

9 **SEC. 3. EXTENSION OF SUPPORT FOR PHYSICIANS AND**
 10 **OTHER PROFESSIONALS IN ADJUSTING TO**
 11 **MEDICARE PAYMENT CHANGES.**

12 (a) *IN GENERAL*.—Section 1848 of the Social Security
 13 Act (42 U.S.C. 1395w-4) is amended—

14 (1) in subsection (c)(2)(B)(iv)(V), by striking
 15 “2021” and inserting “2021 or 2022”; and

16 (2) in subsection (t)—

17 (A) in the subsection header, by striking
 18 “2021” and inserting “2021 AND 2022”;

19 (B) in paragraph (1)—

20 (i) by striking “during 2021” and in-
 21 serting “during 2021 and 2022”; and

22 (ii) by striking “for such services fur-
 23 nished on or after January 1, 2021, and be-
 24 fore January 1, 2022, by 3.75 percent.” and
 25 inserting “for—

1 “(A) such services furnished on or after
2 January 1, 2021, and before January 1, 2022,
3 by 3.75 percent; and

4 “(B) such services furnished on or after
5 January 1, 2022, and before January 1, 2023,
6 by 3.0 percent.”; and

7 (C) in paragraph (2)(C)—

8 (i) in the subparagraph header, by
9 striking “2021” and inserting “2021 AND
10 2022”;

11 (ii) by inserting “for services furnished
12 in 2021 or 2022” after “under this sub-
13 section”; and

14 (iii) by inserting “or 2022, respec-
15 tively” before the period at the end.

16 (b) *REPORT*.—Section 101(c) of division N of the Con-
17 solidated Appropriations Act, 2021 (Public Law 116–260)
18 is amended—

19 (1) in the first sentence—

20 (A) by striking “April 1, 2022” and insert-
21 ing “each of April 1, 2022, and April 1, 2023”;
22 and

23 (B) by striking “, as added by subsection
24 (a)” and inserting “furnished during 2021 or
25 2022, respectively”; and

1 (2) *in the second sentence—*

2 (A) *by striking “Such report” and inserting*

3 *“Each such report”; and*

4 (B) *by inserting “with respect to 2021 or*

5 *2022, as applicable” after “under such section”.*

6 **SEC. 4. PRESERVING PATIENT ACCESS TO CRITICAL CLIN-**

7 **ICAL LAB SERVICES.**

8 (a) *REVISED PHASE-IN OF REDUCTIONS FROM PRI-*

9 *VATE PAYOR RATE IMPLEMENTATION.—Section*

10 *1834A(b)(3) of the Social Security Act (42 U.S.C. 1395m–*

11 *1(b)(3)) is amended—*

12 (1) *in subparagraph (A), by striking “through*

13 *2024” and inserting “through 2025”; and*

14 (2) *in subparagraph (B)—*

15 (A) *in clause (ii), by striking “for 2021”*

16 *and inserting “for each of 2021 and 2022”; and*

17 (B) *in clause (iii), by striking “2022*

18 *through 2024” and inserting “2023 through*

19 *2025”.*

20 (b) *REVISED REPORTING PERIOD FOR REPORTING OF*

21 *PRIVATE SECTOR PAYMENT RATES FOR ESTABLISHMENT*

22 *OF MEDICARE PAYMENT RATES.—Section 1834A(a)(1)(B)*

23 *of the Social Security Act (42 U.S.C. 1395m–1(a)(1)(B))*

24 *is amended—*

1 (1) in clause (i), by striking “December 31,
2 2021” and inserting “December 31, 2022”; and

3 (2) in clause (ii)—

4 (A) by striking “January 1, 2022” and in-
5 serting “January 1, 2023”; and

6 (B) by striking “March 31, 2022” and in-
7 serting “March 31, 2023”.

8 **SEC. 5. DELAY TO THE IMPLEMENTATION OF THE RADI-**
9 **ATION ONCOLOGY MODEL UNDER THE MEDI-**
10 **CARE PROGRAM.**

11 Section 133 of Division CC of the Consolidated Appro-
12 priations Act, 2021 (Public Law 116–260) is amended by
13 striking “January 1, 2022” and inserting “January 1,
14 2023”.

15 **SEC. 6. MEDICARE IMPROVEMENT FUND.**

16 Section 1898(b)(1) of the Social Security Act (42
17 U.S.C. 1395iii(b)(1)) is amended by striking “fiscal year
18 2021” and all that follows through the period at the end
19 and inserting “fiscal year 2021, \$101,000,000.”.

20 **SEC. 7. PAYGO ANNUAL REPORT.**

21 For the purposes of the annual report issued pursuant
22 to section 5 of the Statutory Pay-As-You-Go Act of 2010
23 (2 U.S.C. 934) after adjournment of the first session of the
24 117th Congress, and for determining whether a sequestra-
25 tion order is necessary under such section, the debit for the

1 budget year on the 5-year scorecard, if any, and the 10-
 2 year scorecard, if any, shall be deducted from such scorecard
 3 in 2022 and added to such scorecard in 2023.

4 **SEC. 8. EXPEDITED PROCEDURES FOR CONSIDERING AN IN-**
 5 **CREASE IN THE DEBT LIMIT.**

6 (a) *DEFINITION.*—In this section, the term “joint reso-
 7 lution” means a joint resolution—

8 (1) that is introduced by the Majority Leader of
 9 the Senate, or a designee, during the period beginning
 10 on the date of enactment of this Act and ending on
 11 December 31, 2021;

12 (2) which does not have a preamble;

13 (3) the title of which is as follows: “Joint resolu-
 14 tion relating to increasing the debt limit.”; and

15 (4) the matter after the resolving clause of which
 16 is as follows: “That the limitation under section
 17 3101(b) of title 31, United States Code, as most re-
 18 cently increased by Public Law 117–50 (31 U.S.C.
 19 3101 note), is increased by \$_____.”,
 20 the blank space being appropriately filled in with the
 21 dollar amount of the increase.

22 (b) *EXPEDITED CONSIDERATION IN SENATE.*—

23 (1) *PLACEMENT ON CALENDAR.*—Upon introduc-
 24 tion in the Senate, the joint resolution shall be placed
 25 immediately on the calendar.

1 (2) *PROCEEDING TO CONSIDERATION.*—

2 (A) *IN GENERAL.*—*Notwithstanding rule*
 3 *XXII of the Standing Rules of the Senate, it is*
 4 *in order, not later than January 15, 2022 (even*
 5 *though a previous motion to the same effect has*
 6 *been disagreed to) to move to proceed to the con-*
 7 *sideration of the joint resolution.*

8 (B) *PROCEDURE.*—*For a motion to proceed*
 9 *to the consideration of the joint resolution—*

10 (i) *all points of order against the mo-*
 11 *tion are waived;*

12 (ii) *the motion is not debatable;*

13 (iii) *the motion is not subject to a mo-*
 14 *tion to postpone;*

15 (iv) *a motion to reconsider the vote by*
 16 *which the motion is agreed to or disagreed*
 17 *to shall not be in order; and*

18 (v) *if the motion is agreed to, the joint*
 19 *resolution shall remain the unfinished busi-*
 20 *ness until disposed of.*

21 (3) *FLOOR CONSIDERATION.*—

22 (A) *IN GENERAL.*—*If the Senate proceeds to*
 23 *consideration of the joint resolution—*

1 (i) all points of order against the joint
2 resolution (and against consideration of the
3 joint resolution) are waived;

4 (ii) debate on the joint resolution, and
5 all debatable motions and appeals in con-
6 nection therewith, shall be limited to not
7 more than 10 hours, which shall be divided
8 equally between the Chairman and Ranking
9 Member of the Committee on Finance;

10 (iii) an amendment to the joint resolu-
11 tion is not in order;

12 (iv) a motion to postpone or a motion
13 to commit the joint resolution is not in
14 order; and

15 (v) a motion to proceed to the consider-
16 ation of other business is not in order.

17 (B) VOTE ON PASSAGE.—The vote on pas-
18 sage shall occur immediately following the con-
19 clusion of the debate on the joint resolution and
20 a single quorum call if requested in accordance
21 with the rules of the Senate.

22 (C) RULINGS OF THE CHAIR ON PROCE-
23 DURE.—Appeals from the decisions of the Chair
24 relating to the application of this paragraph or
25 the rules of the Senate, as the case may be, to the

1 *procedure relating to the joint resolution shall be*
2 *decided without debate.*

3 *(D) SINGLE MEASURE AUTHORIZED.—It*
4 *shall not be in order to consider more than 1*
5 *joint resolution under the procedures under this*
6 *paragraph.*

7 *(E) SUNSET.—It shall not be in order to*
8 *consider a joint resolution under the procedures*
9 *under this paragraph after January 16, 2022.*

10 *(4) RULES OF THE SENATE.—This subsection is*
11 *enacted by Congress—*

12 *(A) as an exercise of the rulemaking power*
13 *of the Senate, and as such is deemed a part of*
14 *the rules of the Senate, but applicable only with*
15 *respect to the procedure to be followed in the*
16 *Senate in the case of a joint resolution, and su-*
17 *persede other rules only to the extent that they*
18 *are inconsistent with such rules; and*

19 *(B) with full recognition of the constitu-*
20 *tional right of the Senate to change the rules (so*
21 *far as relating to the procedure of the Senate) at*
22 *any time, in the same manner, and to the same*

- 1 *extent as in the case of any other rule of the Sen-*
- 2 *ate.*

Attest:

Clerk.

117TH CONGRESS
1ST SESSION

S. 610

AMENDMENT