

119TH CONGRESS
1ST SESSION

H. R. 1720

To amend title XVIII of the Social Security Act to extend certain telehealth flexibilities with respect to hospice care under the Medicare program, and to establish a modifier for recertifications of hospice care eligibility conducted through telehealth.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2025

Mrs. MILLER of West Virginia (for herself, Mr. GOLDEN of Maine, Ms. VAN DUYNÉ, Mr. DAVIS of North Carolina, Mr. BEAN of Florida, and Mr. MORELLE) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title XVIII of the Social Security Act to extend certain telehealth flexibilities with respect to hospice care under the Medicare program, and to establish a modifier for recertifications of hospice care eligibility conducted through telehealth.

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 “Hospice Recertification
5 Flexibility Act”.

1 **SEC. 2. EXTENSION OF CERTAIN TELEHEALTH FLEXIBILI-**
2 **TIES.**

3 Section 1814(a)(7)(D)(i)(II) of the Social Security
4 Act (42 U.S.C. 1395f(a)(7)(D)(i)(II)) is amended—

5 (1) by striking “ending on March 31, 2025”
6 and inserting “ending on December 31, 2027”; and

7 (2) by inserting “, except that this subclause
8 shall not apply in the case of such an encounter with
9 an individual occurring on or after January 1, 2026,
10 if such individual is located in an area that has been
11 subject to a moratorium on the enrollment of hos-
12 pice programs under this title pursuant to section
13 1866(j)(7) for a period of not less than 6 months,
14 if such individual is receiving hospice care from a
15 provider that is subject to enhanced oversight under
16 this title pursuant to section 1866(j)(3), or if such
17 encounter is performed by a hospice physician or
18 nurse practitioner who is not enrolled under section
19 1866(j) and is not an opt-out physician or practi-
20 tioner (as defined in section 1802(b)(6)(D))” before
21 the semicolon.

22 **SEC. 3. ESTABLISHMENT OF MODIFIER FOR RECERTIFI-**
23 **CATIONS OF HOSPICE CARE ELIGIBILITY**
24 **CONDUCTED THROUGH TELEHEALTH.**

25 Section 1814(a)(7)(D)(i)(II) of the Social Security
26 Act (42 U.S.C. 1395f(a)(7)(D)(i)(II)), as amended by sec-

1 tion 2, is further amended by inserting “, but only if, in
2 the case of such an encounter occurring on or after Janu-
3 ary 1, 2026, any hospice claim includes 1 or more modi-
4 fiers or codes (as specified by the Secretary) to indicate
5 that such encounter was conducted via telehealth” after
6 “as determined appropriate by the Secretary”.

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