

119TH CONGRESS
2D SESSION

H. R. 9468

To amend title XVIII of the Social Security Act to adjust long-term care hospital payment rates under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2026

Mr. HERN of Oklahoma (for himself, Mrs. MILLER of West Virginia, and Mr. SMUCKER) 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 adjust long-term care hospital payment rates under the Medicare program.

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 “Saving Today’s Acute-
5 Care Resources Act” or the “STAR Act”.

6 **SEC. 2. ADJUSTING LONG-TERM CARE HOSPITAL PAYMENT**
7 **RATES UNDER THE MEDICARE PROGRAM.**

8 (a) EXTENSION OF SITE NEUTRAL PAYMENT RE-
9 Ductions.—Section 1886(m)(6)(B)(iv) of the Social Se-

1 security Act (42 U.S.C. 1395ww(m)(6)(B)(iv)) is amended
 2 by striking “2026” and inserting “2032”.

3 (b) MODIFICATION OF CRITERIA FOR NONAPPLICA-
 4 TION OF SITE NEUTRAL PAYMENT RATE.—

5 (1) ADDITION OF HIGH ACUITY CRITERION.—

6 Section 1886(m)(6)(A) of the Social Security Act
 7 (42 U.S.C. 1395ww(m)(6)(A)) is amended—

8 (A) in clause (ii)(I), by striking “or the
 9 ventilator criterion under clause (iv)” and in-
 10 serting “, the ventilator criterion under clause
 11 (iv), or the high acuity criterion described in
 12 clause (v)”;

13 (B) by adding at the end the following new
 14 clause:

15 “(v) HIGH ACUITY CRITERION.—

16 “(I) IN GENERAL.—The criterion
 17 specified in this clause (in this para-
 18 graph referred to as the ‘high acuity
 19 criterion’) for a discharge from a
 20 long-term care hospital in a fiscal year
 21 is that—

22 “(aa) the stay in the long-
 23 term care hospital ending with
 24 such discharge was immediately
 25 preceded by a discharge from a

1 stay in a subsection (d) hospital
2 or a stay in a critical access hos-
3 pital;

4 “(bb) the individual dis-
5 charged was assigned to a Medi-
6 care-Severity-Long-Term-Care-
7 Diagnosis-Related-Group (MS-
8 LTC-DRG) that was a specified
9 MS-LTC-DRG (as described in
10 subclause (II)) with respect to
11 such fiscal year;

12 “(cc) the discharge was from
13 a long-term care hospital—

14 “(AA) that enrolled
15 under this title as such a
16 hospital before the date of
17 the enactment of this clause;

18 “(BB) whose qualifying
19 period (as described in sec-
20 tion 412.23(e)(4)(iv) of title
21 42, Code of Federal Regula-
22 tions (or a successor regula-
23 tion)) began before such
24 date;

1 “(CC) that met the
2 mid-build requirements de-
3 scribed in subclause (III); or

4 “(DD) that had ob-
5 tained an approved certifi-
6 cate of need from the State
7 in which such hospital is lo-
8 cated before such date, if re-
9 quired by State law; and

10 “(dd) the discharge occurred
11 on or after October 1, 2026.

12 “(II) SPECIFIED MS-LTC-DRG DE-
13 FINED.—For purposes of subclause
14 subclause (I)(bb), the term ‘specified
15 MS-LTC-DRG’ means, with respect
16 to a fiscal year, an MS-LTC-DRG—

17 “(aa) with a relative weight
18 of 0.8 or greater; and

19 “(bb) that is not assigned on
20 the basis of the receipt of venti-
21 lator services of at least 96
22 hours.

23 “(III) MID-BUILD REQUIRE-
24 MENTS DESCRIBED.—For purposes of
25 subclause (I)(cc), the mid-build re-

quirements described in this clause
are, with respect to a long-term care
hospital, that—

“(aa) such hospital had a
binding written agreement with
an outside, unrelated party for
the actual construction, renovation,
lease, or demolition of such
hospital in effect as of the date
of the enactment of this clause
and, prior to such date, had expended
at least 10 percent (or, if less,
\$2,500,000) of the estimated cost
of such construction, renovation,
lease, or demolition;
and

“(bb) the Secretary receives,
not later than 60 days after such
date, from the chief executive officer
or chief operating officer of such
hospital a written certification that
the hospital met the requirement
under item (aa).”.

(2) MODIFICATION OF ICU AND VENTILATOR
CRITERIA.—Section 1886(m)(6)(A) of the Social Se-

1 security Act (42 U.S.C. 1395ww(m)(6)(A)) is amend-
2 ed—

3 (A) in clause (iii)(I), by inserting “or, with
4 respect to discharges from a long-term care
5 hospital occurring on or after October 1, 2026,
6 by a discharge from a stay in such a hospital
7 or a stay in a critical access hospital,” after “in
8 a subsection (d) hospital”; and

9 (B) in clause (iv)(I), by inserting “or, with
10 respect to discharges from a long-term care
11 hospital occurring on or after October 1, 2026,
12 by a discharge from a stay in such a hospital
13 or a stay in a critical access hospital” after “in
14 a subsection (d) hospital”.

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