

## HR 3698

Two-Midnight Rule Delay Act of 2013

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Dec 11, 2013

**Current Status:** Referred to the House Committee on Ways and Means.

**Latest Action:** Referred to the House Committee on Ways and Means. (Dec 11, 2013)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/3698>

### Sponsor

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**Name:** Rep. Gerlach, Jim [R-PA-6]

**Party:** Republican • **State:** PA • **Chamber:** House

**Cosponsors** (158 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Crowley, Joseph [D-NY-14]	D · NY		Dec 11, 2013
Rep. Kind, Ron [D-WI-3]	D · WI		Dec 11, 2013
Rep. Reed, Tom [R-NY-23]	R · NY		Dec 11, 2013
Rep. Roskam, Peter J. [R-IL-6]	R · IL		Dec 11, 2013
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Dec 12, 2013
Rep. Jenkins, Lynn [R-KS-2]	R · KS		Dec 12, 2013
Rep. Clarke, Yvette D. [D-NY-9]	D · NY		Dec 23, 2013
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Dec 23, 2013
Rep. Grimm, Michael G. [R-NY-11]	R · NY		Dec 23, 2013
Rep. Harper, Gregg [R-MS-3]	R · MS		Dec 23, 2013
Rep. Higgins, Brian [D-NY-26]	D · NY		Dec 23, 2013
Rep. Huelskamp, Tim [R-KS-1]	R · KS		Dec 23, 2013
Rep. Joyce, David P. [R-OH-14]	R · OH		Dec 23, 2013
Rep. King, Peter T. [R-NY-2]	R · NY		Dec 23, 2013
Rep. Maloney, Carolyn B. [D-NY-12]	D · NY		Dec 23, 2013
Rep. Meehan, Patrick [R-PA-7]	R · PA		Dec 23, 2013
Rep. Nadler, Jerrold [D-NY-10]	D · NY		Dec 23, 2013
Rep. Rangel, Charles B. [D-NY-13]	D · NY		Dec 23, 2013
Rep. Schwartz, Allyson Y. [D-PA-13]	D · PA		Dec 23, 2013
Rep. Tonko, Paul [D-NY-20]	D · NY		Dec 23, 2013
Rep. Gibson, Christopher P. [R-NY-19]	R · NY		Jan 7, 2014
Rep. Meadows, Mark [R-NC-11]	R · NC		Jan 7, 2014
Rep. Roe, David P. [R-TN-1]	R · TN		Jan 7, 2014
Rep. Barrow, John [D-GA-12]	D · GA		Jan 8, 2014
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Jan 8, 2014
Rep. Brady, Robert A. [D-PA-1]	D · PA		Jan 8, 2014
Rep. Fattah, Chaka [D-PA-2]	D · PA		Jan 8, 2014
Rep. Heck, Joseph J. [R-NV-3]	R · NV		Jan 8, 2014
Rep. Lowey, Nita M. [D-NY-17]	D · NY		Jan 8, 2014
Rep. Maffei, Daniel B. [D-NY-24]	D · NY		Jan 8, 2014
Rep. Maloney, Sean Patrick [D-NY-18]	D · NY		Jan 8, 2014
Rep. Meeks, Gregory W. [D-NY-5]	D · NY		Jan 8, 2014
Rep. Owens, William L. [D-NY-21]	D · NY		Jan 8, 2014
Rep. Serrano, Jose E. [D-NY-15]	D · NY		Jan 8, 2014
Rep. Dent, Charles W. [R-PA-15]	R · PA		Jan 13, 2014
Rep. Engel, Eliot L. [D-NY-16]	D · NY		Jan 13, 2014
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Jan 13, 2014
Rep. Franks, Trent [R-AZ-8]	R · AZ		Jan 13, 2014
Rep. Hanna, Richard L. [R-NY-22]	R · NY		Jan 13, 2014
Rep. Israel, Steve [D-NY-3]	D · NY		Jan 13, 2014
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jan 13, 2014

Cosponsor	Party / State	Role	Date Joined
Rep. Meng, Grace [D-NY-6]	D · NY		Jan 13, 2014
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Jan 13, 2014
Rep. Tsongas, Niki [D-MA-3]	D · MA		Jan 13, 2014
Rep. Gardner, Cory [R-CO-4]	R · CO		Jan 14, 2014
Rep. Barletta, Lou [R-PA-11]	R · PA		Jan 21, 2014
Rep. Jeffries, Hakeem S. [D-NY-8]	D · NY		Jan 21, 2014
Rep. Latham, Tom [R-IA-3]	R · IA		Jan 21, 2014
Rep. Lynch, Stephen F. [D-MA-8]	D · MA		Jan 21, 2014
Rep. McGovern, James P. [D-MA-2]	D · MA		Jan 21, 2014
Rep. Pastor, Ed [D-AZ-7]	D · AZ		Jan 21, 2014
Rep. Scott, Austin [R-GA-8]	R · GA		Jan 21, 2014
Rep. Aderholt, Robert B. [R-AL-4]	R · AL		Jan 31, 2014
Rep. Bachmann, Michele [R-MN-6]	R · MN		Jan 31, 2014
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Jan 31, 2014
Rep. Black, Diane [R-TN-6]	R · TN		Jan 31, 2014
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Jan 31, 2014
Rep. Bustos, Cheri [D-IL-17]	D · IL		Jan 31, 2014
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Jan 31, 2014
Rep. Cuellar, Henry [D-TX-28]	D · TX		Jan 31, 2014
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Jan 31, 2014
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Jan 31, 2014
Rep. Fudge, Marcia L. [D-OH-11]	D · OH		Jan 31, 2014
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jan 31, 2014
Rep. Guthrie, Brett [R-KY-2]	R · KY		Jan 31, 2014
Rep. Hultgren, Randy [R-IL-14]	R · IL		Jan 31, 2014
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Jan 31, 2014
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Jan 31, 2014
Rep. Keating, William R. [D-MA-9]	D · MA		Jan 31, 2014
Rep. Larsen, Rick [D-WA-2]	D · WA		Jan 31, 2014
Rep. Marino, Tom [R-PA-10]	R · PA		Jan 31, 2014
Rep. Matheson, Jim [D-UT-4]	D · UT		Jan 31, 2014
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Jan 31, 2014
Rep. Neal, Richard E. [D-MA-1]	D · MA		Jan 31, 2014
Rep. Quigley, Mike [D-IL-5]	D · IL		Jan 31, 2014
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Jan 31, 2014
Rep. Renacci, James B. [R-OH-16]	R · OH		Jan 31, 2014
Rep. Ruppersberger, C. A. Dutch [D-MD-2]	D · MD		Jan 31, 2014
Rep. Scott, David [D-GA-13]	D · GA		Jan 31, 2014
Rep. Sires, Albio [D-NJ-8]	D · NJ		Jan 31, 2014
Rep. Vargas, Juan [D-CA-51]	D · CA		Jan 31, 2014
Rep. Walorski, Jackie [R-IN-2]	R · IN		Jan 31, 2014
Rep. Welch, Peter [D-VT-At Large]	D · VT		Jan 31, 2014

Cosponsor	Party / State	Role	Date Joined
Rep. Wittman, Robert J. [R-VA-1]	R · VA		Jan 31, 2014
Rep. Young, Don [R-AK-At Large]	R · AK		Jan 31, 2014
Rep. Kelly, Robin L. [D-IL-2]	D · IL		Feb 5, 2014
Rep. Loebssack, David [D-IA-2]	D · IA		Feb 5, 2014
Rep. Palazzo, Steven M. [R-MS-4]	R · MS		Feb 5, 2014
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Feb 5, 2014
Rep. Shuster, Bill [R-PA-9]	R · PA		Feb 5, 2014
Rep. Tierney, John F. [D-MA-6]	D · MA		Feb 5, 2014
Rep. Cook, Paul [R-CA-8]	R · CA		Feb 10, 2014
Rep. Fitzpatrick, Michael G. [R-PA-8]	R · PA		Feb 10, 2014
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Feb 10, 2014
Rep. Miller, Candice S. [R-MI-10]	R · MI		Feb 10, 2014
Rep. Young, Todd [R-IN-9]	R · IN		Feb 10, 2014
Rep. Davis, Rodney [R-IL-13]	R · IL		Feb 21, 2014
Rep. Duncan, Jeff [R-SC-3]	R · SC		Feb 21, 2014
Rep. Foster, Bill [D-IL-11]	D · IL		Feb 21, 2014
Rep. Latta, Robert E. [R-OH-5]	R · OH		Feb 21, 2014
Rep. Pocan, Mark [D-WI-2]	D · WI		Feb 21, 2014
Rep. Rigell, E. Scott [R-VA-2]	R · VA		Feb 21, 2014
Rep. Schneider, Bradley Scott [D-IL-10]	D · IL		Feb 21, 2014
Rep. Whitfield, Ed [R-KY-1]	R · KY		Feb 21, 2014
Rep. Boustany, Charles W., Jr. [R-LA-3]	R · LA		Feb 25, 2014
Rep. Clark, Katherine M. [D-MA-5]	D · MA		Feb 25, 2014
Rep. Kennedy, Joseph P., III [D-MA-4]	D · MA		Feb 25, 2014
Rep. Coffman, Mike [R-CO-6]	R · CO		Feb 26, 2014
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Feb 26, 2014
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Feb 27, 2014
Rep. Salmon, Matt [R-AZ-5]	R · AZ		Feb 27, 2014
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Feb 28, 2014
Rep. Griffin, Tim [R-AR-2]	R · AR		Mar 5, 2014
Rep. Capuano, Michael E. [D-MA-7]	D · MA		Mar 6, 2014
Rep. Sessions, Pete [R-TX-32]	R · TX		Mar 6, 2014
Rep. Ribble, Reid J. [R-WI-8]	R · WI		Mar 11, 2014
Rep. Visclosky, Peter J. [D-IN-1]	D · IN		Mar 11, 2014
Rep. Kelly, Mike [R-PA-3]	R · PA		Mar 12, 2014
Rep. Slaughter, Louise McIntosh [D-NY-25]	D · NY		Mar 12, 2014
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Mar 13, 2014
Rep. Esty, Elizabeth H. [D-CT-5]	D · CT		Mar 21, 2014
Rep. Kuster, Ann M. [D-NH-2]	D · NH		Mar 21, 2014
Rep. Thompson, Glenn [R-PA-5]	R · PA		Mar 21, 2014
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Mar 24, 2014
Rep. Cartwright, Matt [D-PA-17]	D · PA		Mar 25, 2014

Cosponsor	Party / State	Role	Date Joined
Rep. Reichert, David G. [R-WA-8]	R · WA		Mar 27, 2014
Rep. Stivers, Steve [R-OH-15]	R · OH		Apr 3, 2014
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Apr 3, 2014
Rep. Beatty, Joyce [D-OH-3]	D · OH		Apr 8, 2014
Rep. McCollum, Betty [D-MN-4]	D · MN		Apr 28, 2014
Rep. Frelinghuysen, Rodney P. [R-NJ-11]	R · NJ		May 6, 2014
Rep. Granger, Kay [R-TX-12]	R · TX		May 6, 2014
Rep. Lee, Barbara [D-CA-13]	D · CA		May 6, 2014
Rep. Matsui, Doris O. [D-CA-6]	D · CA		May 6, 2014
Rep. Rice, Tom [R-SC-7]	R · SC		May 8, 2014
Rep. Blumenauer, Earl [D-OR-3]	D · OR		May 13, 2014
Rep. DelBene, Suzan K. [D-WA-1]	D · WA		May 13, 2014
Rep. Paulsen, Erik [R-MN-3]	R · MN		May 19, 2014
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		May 19, 2014
Rep. Ellison, Keith [D-MN-5]	D · MN		May 20, 2014
Rep. King, Steve [R-IA-4]	R · IA		May 20, 2014
Rep. Rothfus, Keith J. [R-PA-12]	R · PA		May 20, 2014
Rep. Thompson, Mike [D-CA-5]	D · CA		May 20, 2014
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Jun 2, 2014
Rep. Kilmer, Derek [D-WA-6]	D · WA		Jun 5, 2014
Rep. McAllister, Vance M. [R-LA-5]	R · LA		Jun 5, 2014
Rep. Duckworth, Tammy [D-IL-8]	D · IL		Jun 11, 2014
Rep. Scalise, Steve [R-LA-1]	R · LA		Jun 17, 2014
Rep. Schrader, Kurt [D-OR-5]	D · OR		Jun 26, 2014
Rep. Farenthold, Blake [R-TX-27]	R · TX		Jul 14, 2014
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Jul 17, 2014
Rep. Perry, Scott [R-PA-4]	R · PA		Jul 24, 2014
Rep. Honda, Michael M. [D-CA-17]	D · CA		Sep 8, 2014
Rep. Sinema, Kyrsten [D-AZ-9]	D · AZ		Sep 8, 2014
Rep. Heck, Denny [D-WA-10]	D · WA		Sep 16, 2014
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Sep 19, 2014
Rep. Doyle, Michael F. [D-PA-14]	D · PA		Nov 12, 2014
Rep. Smith, Adam [D-WA-9]	D · WA		Nov 12, 2014

## Committee Activity

Committee	Chamber	Activity	Date
Ways and Means Committee	House	Referred To	Dec 11, 2013

## Subjects & Policy Tags

### Policy Area:

Health

## Related Bills

Bill	Relationship	Last Action
113 S 2082	Related bill	Mar 5, 2014: Read twice and referred to the Committee on Finance.

## Summary (as of Dec 11, 2013)

Two-Midnight Rule Delay Act of 2013 - Prohibits the Secretary of Health and Human Services (HHS) from enforcing the two-midnight rule to a hospital for which payment is made under title XVIII (Medicare) of the Social Security Act for admissions occurring before October 1, 2014.

(The two-midnight rule allows Medicare coverage of only hospital stays for which a physician admits to a hospital a beneficiary expected to require care that crosses two midnights, but generally denies coverage of care expected to require less than a two-midnight stay.)

Applies such prohibition to Medicare review contracts.

Prohibits Medicare review contractors from denying a claim for inpatient hospital services furnished by a hospital, or inpatient critical access hospital services furnished by a critical access hospital, for discharges occurring before October 1, 2014: (1) for medical necessity due to the length of an inpatient stay in such hospital or due to a determination that the services could have been provided on an outpatient basis; or (2) for requirements for orders, certifications, or recertifications, and associated documentation relating to such matters.

Prohibits the Secretary from increasing the sample of claims selected for prepayment review under the Medicare Probe and Educate program above the number and type established by the Secretary as of November 4, 2013.

Directs the Secretary to develop: (1) a Medicare hospital payment methodology for short inpatient hospital stays; (2) general equivalency maps to link the relevant International Statistical Classification of Diseases and Related Health Problems (ICD)-10 codes (used to report medical diagnoses and inpatient procedures) to relevant Current Procedural Terminology (CPT) codes, and the relevant CPT codes to relevant ICD-10 codes, in order to permit comparison of inpatient hospital services and hospital outpatient department services; and (3) a second crosswalk between Diagnosis-Related Group (DRG) codes for inpatient hospital services and Ambulatory Payment Class codes for outpatient hospital services.

## Actions Timeline

- **Dec 11, 2013:** Introduced in House
- **Dec 11, 2013:** Referred to the House Committee on Ways and Means.