

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8875
OFFERED BY MR. SMITH OF MISSOURI**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Improving Home Di-
3 alysis Act”.

**4 SEC. 2. INCLUDING CERTAIN ADDITIONAL SERVICES AS
5 SELF-CARE HOME DIALYSIS SUPPORT SERV-
6 ICES UNDER THE MEDICARE PROGRAM.**

7 (a) IN GENERAL.—Section 1881(b)(9) of the Social
8 Security Act (42 U.S.C. 1395rr(b)(9)) is amended—

9 (1) in subparagraph (C), by striking “and” at
10 the end;

11 (2) by redesignating subparagraph (D) as sub-
12 paragraph (F);

13 (3) by inserting after subparagraph (C) the fol-
14 lowing new subparagraphs:

15 “(D) beginning January 1, 2028, staff-assisted
16 home dialysis respite care furnished to a patient in
17 the place of residence used as such patient’s home

1 (other than a skilled nursing facility or a nursing fa-
2 cility (as defined in section 1919(a)));

3 “(E) beginning January 1, 2028, renal mental
4 health services furnished to a patient in the place of
5 residence used as such patient’s home (other than a
6 skilled nursing facility or a nursing facility (as de-
7 fined in section 1919(a))); and”;

8 (4) by adding at the end the following flush
9 matter:

10 “For purposes of subparagraph (D), the term ‘staff-as-
11 sisted home dialysis respite care’ means dialysis services
12 furnished by qualified personnel to a patient dialyzing at
13 home who is temporarily unable to competently dialyze at
14 home independently during the 30-day period beginning
15 on the first day that the patient initiates home dialysis
16 (or, in the case of a patient whose temporary inability to
17 competently dialyze is attributable to a physical limitation,
18 at any time). For purposes of the preceding sentence, the
19 term ‘qualified personnel’ means a registered nurse, a li-
20 censed practical nurse, a certified patient care technician,
21 or another qualified medical professional specified by the
22 Secretary, who meets requirements (as determined by the
23 Secretary) that ensure competency in patient care and mo-
24 dality usage, including completing training specific to
25 staff-assisted home dialysis respite care as specified by the

1 Secretary. For purposes of subparagraph (E), the term
2 ‘renal mental health services’ means services described in
3 section 494.90(a)(6) of title 42, Code of Federal Regula-
4 tions (or a successor regulation) furnished to a patient
5 dialyzing at home during the 60-day period beginning on
6 the first day that the patient initiates home dialysis by
7 an individual who meets the standard specified in section
8 494.140(d) of title 42, Code of Federal Regulations (or
9 a successor regulation).”.

10 (b) PAYMENT ADJUSTMENTS FOR CERTAIN SELF-
11 CARE HOME DIALYSIS SUPPORT SERVICES.—

12 (1) IN GENERAL.—Section 1881(b)(14) of the
13 Social Security Act (42 U.S.C. 1395rr(b)(14)) is
14 amended—

15 (A) in subparagraph (D)—

16 (i) in clause (iii), by striking “and” at
17 the end;

18 (ii) by redesignating clause (iv) as
19 clause (vi); and

20 (iii) by inserting after clause (iii) the
21 following new clauses:

22 “(iv) shall include a payment adjustment for
23 staff-assisted home dialysis respite care (as de-
24 scribed in paragraph (9)(D)) in accordance with
25 subparagraph (J);

1 “(v) shall include a payment adjustment for
2 renal mental health services (as described in para-
3 graph (9)(E)) in accordance with subparagraph (K);
4 and”;

5 (B) by adding at the end the following new
6 subparagraphs:

7 “(J)(i) For purposes of subparagraph (D)(iv), subject
8 to clause (ii), a payment adjustment shall be made for
9 each session of staff-assisted home dialysis respite care (as
10 described in paragraph (9)(D)) furnished during a year
11 equal to the amount of the add-on per treatment adjust-
12 ment for home and self-dialysis training furnished in 2025
13 (or, in the case of such care that is not furnished in a
14 rural area (as defined for purposes of such subparagraph),
15 75 percent of such amount).

16 “(ii) In no case may a payment adjustment under
17 subparagraph (D)(iv) be made for staff-assisted home di-
18 alysis respite care furnished to an individual—

19 (I) for more than 20 sessions in a calendar
20 year; or

21 (II) on a day when such individual was not
22 dialyzing at home.

23 “(iii) Any payment adjustment under subparagraph
24 (D)(iv) for staff-assisted home dialysis respite care shall
25 not be made in a budget neutral manner.

1 “(K)(i) For purposes of subparagraph (D)(v), subject
2 to clause (ii), a payment adjustment shall be made for
3 each session of renal mental health services (as described
4 in paragraph (9)(E)) furnished during a year equal to 50
5 percent (or 25 percent, in the case of such services that
6 are not furnished in a rural area (as defined for purposes
7 of subparagraph (D))) of the amount of the add-on per
8 treatment adjustment for home and self-dialysis training
9 furnished in 2025.

10 “(ii) In no case may a payment adjustment under
11 subparagraph (D)(v) be made for renal mental health
12 services furnished to an individual—

13 “(I) for more than 4 sessions occurring during
14 the 60-day period beginning on the first day that the
15 individual initiates home dialysis; or

16 “(II) on a day when such individual was not
17 dialyzing at home.

18 “(iii) Any payment adjustment under subparagraph
19 (D)(v) for renal mental health services shall not be made
20 in a budget neutral manner.”.

21 (2) CONFORMING AMENDMENT.—Section
22 1834(r)(1) of the Social Security Act (42 U.S.C.
23 1395m(r)(1)) is amended by striking “subparagraph

- 1 (D)(iv)(II)” and inserting “subparagraph
- 2 (D)(vi)(II)”.

