

**Explanation of Changes Reflected in the Chairman's
Amendment in the Nature of a Substitute to
H.R. 5439, *Medically Tailored Home-Delivered Meals Program Pilot Act***

September 15, 2026

The Chairman's amendment in the nature of a substitute includes the following changes to H.R. 5439 as introduced:

1. Page 2, line 10: After "section," strike "subject to subsection (f),".
2. Page 2, line 21: Strike "June 30, 2027," and insert "2 years after the date of the enactment of this section and subject to appropriate safeguards against fraud, waste, and abuse", and strike " , subject to subsection (f),".
3. Page 2 line 23: Strike "that attest to the Secretary that they have the capacity to satisfy the requirements described in subsection (c)".
4. Page 3, line 7: Strike "as described in section 1820(c)(2)" and insert "as defined in section 1861(mm)(1)".
5. Page 3, line 19: After "require;" insert "and".
6. Page 3, line 25: Strike "internet" and insert "Internet".
7. Page 4, line 2: After "website)", strike " ; and" and insert " .".
8. Page 4, line 3: Strike "(C) meets, as of the date of selection by the Secretary under paragraph (1), program integrity requirements, as determined by the Secretary".
9. Page 4, line 14: after "physician," insert "physician assistant,".
10. Page 4, line 18: After "(2)," insert "and, as appropriate, furnish".
11. Page 5, line 1: Strike "approved or deemed to be approved by the Secretary" and insert "(as determined appropriate by the Secretary)".
12. Page 6, line 2: Strike "at least".
13. Page 6, line 24: Strike "subsection (e)(2)(B)" and insert "subparagraphs (B) and (C) of subsection (e)(2)".
14. Page 7, line 14: Strike "food" and insert "meals".
15. Page 7, line 23: Strike "food" and insert "meals".
16. Page 8, line 20: Strike "(iii) patient and caregiving experience, including whether such individuals would have continued to receive the food if they were required to pay for it".
17. Page 9, line 4: Strike "an analysis of" and insert "analyze".
18. Page 9, line 8: Insert "(E) analyze the patient and caregiving experience, including whether individuals receiving meals under the Program would choose to continue receiving such meals if required to pay for them".
19. Page 9, line 24: Before "Hospital", insert "Federal".
20. Page 10, line 1: Strike "The Secretary shall reduce payments made to subsection (d) hospitals under section 1886(d) in a manner such that the total amount of reductions for a year are estimated to be equal to the total amount of payments made under the Program during such year" and insert "In conducting the Program during a year, the Secretary

shall ensure that the estimated amount of expenditures under this title for such year does not exceed the estimated amount of expenditures under this title that would have been made if the Program had not been implemented”.

21. Page 10, line 7: After “(g)”, insert: “WAIVERS; JUDICIAL REVIEW.— (1) WAIVERS.—The Secretary may waive such requirements under this title as may be necessary to carry out the Program under this section. (2) JUDICIAL REVIEW.—There shall be no administrative or judicial review under section 1869, 1878, or otherwise of the selection of a hospital under subsection (b) or the determination of a payment amount under subsection (d). (h)”.
22. Page 10, line 14: strike “designed by a registered dietitian or nutrition professional for the treatment plan of the qualified individual” and insert “—(A) prescribed to such individual by a practitioner (as described in section 1842(b)(18)(C)) or a physician; and (B) designed by a registered dietitian or nutrition professional in accordance with the treatment plan of such individual”.
23. Page 10, line 20: Strike “similar benefits from other state or Federal programs” and insert “meals from other State or Federal programs that are similar to the meals furnished under the Program under this section”.
24. Page 11, line 4: Strike “or” and insert “and at each”.
25. Page 11, line 5: After “home” strike “;” and insert “(not including a skilled nursing facility (as defined in section 1819(a)), nursing facility (as defined in section 1919(a)), long-term care hospital (as defined in section 1861(ccc)), or any other long-term care facility)”.
26. Page 11, line 6: Strike “(ii) is not eligible for or admitted to extended care services (as defined in section 1861(h))”.
27. Page 11, line 15: Strike “high-risk” and insert “high risk”.