

# **CRS BILL DIGEST**

## **HR 1892**

- **Sponsor:** Larson, J. (D-Conn.)
- **Introduced:** April 4, 2017
- **Official Title:** A bill to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty.
- **Short Title as Introduced:** Honoring Hometown Heroes Act
- **Short Title as Reported to House:** Honoring Hometown Heroes Act
- **Short Title as Passed in House:** Honoring Hometown Heroes Act
- **Short Title as Passed in Senate:** Honoring Hometown Heroes Act

- **Short Title as Enacted:** Bipartisan Budget Act of 2018

## CRS Bill Digest Summary - Published July 19, 2017:

### Honoring Hometown Heroes Act

This bill authorizes the governor of a state, territory, or possession of the United States or the Mayor of the District of Columbia to proclaim that the U.S. flag shall be flown at half-staff in the event of the death of a first responder (public safety officer) working in such jurisdiction who dies while serving in the line of duty.

### Honoring Hometown Heroes Act

(Sec. 2) This bill authorizes the governor of a state, territory, or possession of the United States or the Mayor of the District of Columbia to proclaim that the U.S. flag shall be flown at half-staff in the event of the death of a first responder (public safety officer) working in such jurisdiction who dies while serving in the line of duty.

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This bill authorizes the governor of a state, territory, or possession of the United States or the Mayor of the District of Columbia to proclaim that the U.S. flag shall be flown at half-staff in the event of the death of a first responder (public safety officer) working in such jurisdiction who dies while serving in the line of duty.

## DIVISION B--FURTHER EXTENSION OF CONTINUING APPROPRIATIONS ACT, 2018

### *Further Extension of Continuing Appropriations Act, 2018*

This division amends the Continuing Appropriations Act, 2018 to provide continuing FY2018 appropriations to most federal agencies through March 23, 2018 (February 8, 2018, under current law).

It prevents a partial government shutdown that would otherwise occur when the existing continuing resolution expires because the FY2018 appropriations bills have not been enacted.

The division also: (1) authorizes the Department of Energy to drawdown and sell specified crude oil from the Strategic Petroleum Reserve in FY2018; and (2) makes additional funding available for the 2020 Decennial Census Program, the Southeastern Power Administration, and juror fees.

The division provides emergency funding for the Small Business Administration Disaster Loans Program Account. (Emergency spending is exempt from discretionary spending limits and other budget enforcement rules.)

## DIVISION C--DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

This division provides appropriations to the Department of Defense for the remainder of FY2018.

## DIVISION D--MISCELLANEOUS

This division amends the Food Security Act of 1985 to extend the Department of Agriculture Environmental Quality Incentives Program (EQIP) through FY2019. (EQIP provides financial and technical assistance for agricultural producers and land owners to implement certain conservation practices.)

## DIVISION E--TAX MATTERS

This division amends the Trade Preferences Extension Act of 2015 to repeal the 8% increase in the amount of the required installment of corporate estimated tax otherwise due in July, August, or September of 2020. It also increases the next required installment to reflect the amount of the decrease due to this division.

## DIVISION F--HEALTH PROVISIONS

*Strengthening and Underpinning the Safety-net to Aid Individuals Needing Care Act of 2018 or the SUSTAIN Care Act of 2018*

This division extends and otherwise revises various Medicare programs and payment rules, including:

the Medicare-dependent hospital program;

the Independence at Home Demonstration Program;

certain outreach and counseling programs; and

specified payment rules related to certain low-volume hospitals, home health-care services, and misvalued services.

Additionally, the division modifies Medicare provisions related to supervision requirements, home-health claims, intensive cardiac-rehabilitation programs, telehealth, accountable care organizations, medical records, accreditation, physician self-referral, speech-generating devices, fraud and abuse, coverage of certain testing services, hospital transfers to hospice, ambulance transports, certain outpatient therapy services, long-term care hospital payments, and biosimilar products.

With respect to Medicare Advantage, the division:

reauthorizes and otherwise revises special-needs plans;

expands testing of the Value-Based Insurance Design Model; and

modifies provisions related to supplemental benefits, telehealth, and quality ratings.

With respect to Medicaid, the bill modifies provisions related to third-party liability, lump-sum income, and disproportionate-share hospital payments.

The division reduces annual funding available to the Medicare Improvement Fund and the Medicaid Improvement Fund and modifies the amount of annual funding available to the Prevention and Public Health Fund.

The division also extends specified public health programs.

In addition, the division establishes or revises various reporting requirements for the Department of Health and Human Services, the Medicare Payment Advisory Commission, certain suppliers of ground ambulance services, and the Government Accountability Office.

*Family First Prevention Services Act*

The division modifies various provisions related to foster care and adoption. Specifically, the division:

revises funding and eligibility requirements with respect to foster-care prevention services and programs;

limits federal funding for placements that are not in foster-family homes;

provides for grants to support the recruitment and retention of high-quality foster families;

provides for social-impact partnerships;

extends and otherwise revises various other programs; and

modifies provisions related to foster-care maintenance payments, evidence-based kinship navigator programs, family-reunification services, interstate case processing, regional-partnership grants,

qualified residential-treatment programs, records checks, adoption assistance, child-support enforcement, and prison-data reporting.

## DIVISION G--BUDGETARY EFFECTS

This division exempts the budgetary effects of division D and each succeeding division of this bill from Pay-As-You-Go (PAYGO) rules and certain budget scorekeeping guidelines.

Bipartisan Budget Act of 2018

## DIVISION A--HONORING HOMETOWN HEROES ACT

Honoring Hometown Heroes Act

(Sec. 10102) This division authorizes the governor of a state, territory, or possession of the United States or the Mayor of the District of Columbia to proclaim that the U.S. flag shall be flown at half-staff in the event of the death of a first responder (public safety officer) working in such jurisdiction who dies while serving in the line of duty.

## DIVISION B--SUPPLEMENTAL APPROPRIATIONS, TAX RELIEF, AND MEDICAID CHANGES RELATING TO CERTAIN DISASTERS AND FURTHER EXTENSION OF CONTINUING APPROPRIATIONS

## Subdivision 1--Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018

### Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018

This subdivision provides emergency supplemental FY2018 appropriations to several federal departments and agencies for expenses related to the consequences of recent hurricanes, wildfires, and other natural disasters.

The funding provided by this subdivision is designated as emergency spending, which is exempt from discretionary spending limits and other budget enforcement rules.

#### TITLE I

This title provides FY2018 appropriations to the Department of Agriculture (USDA) for:

the Office of the Secretary;

the Office of Inspector General;

the Agricultural Research Service;

the Farm Service Agency;

the Natural Resources Conservation Service;

Rural Development Programs, including the Rural Housing Service, and the Rural Utilities Service; and

the Food and Nutrition Service, including the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the Commodity Assistance Program.

This title also provides FY2018 appropriations to the Department of Health and Human Services for the Food and Drug Administration.

(Sec. 20101) This section amends the Agricultural Act of 2014 to modify USDA's permanent disaster assistance programs to:

require USDA to make partial payments under the Livestock Indemnity Program (LIP) for livestock that is sold for a reduced sale price in excess of the normal mortality (LIP currently provides payments to eligible producers on farms that have incurred livestock deaths in excess of normal mortality due to adverse weather, or attacks by animals reintroduced into the wild by the federal government or protected by federal law.);

remove the \$20 million annual limit on mandatory funding for emergency assistance under the Emergency Assistance for Livestock, Honey Bees, and Farm-raised Fish Program (ELAP);

increase from 500 acres to 1,000 acres the total quantity of acres planted to trees or tree seedlings for which a person or entity may be entitled to receive payments under the Tree Assistance Program (TAP);

remove the \$125,000 annual payment limitation that applies to a person or legal entity receiving assistance under TAP; and

remove the \$125,000 annual limit on the total amount of disaster assistance payments that may be received by a person or legal entity under LIP, the Livestock Forage Disaster Program, and ELAP.

The amendments made by this section apply to losses incurred on or after January 1, 2017.

## TITLE II

This title provides FY2018 appropriations for the Department of Commerce, the Department of Justice, science agencies, and related agencies.

Within Commerce, the bill provides appropriations to the Economic Development Administration for Economic Development Assistance Programs.

Also within Commerce, this title provides appropriations to the National Oceanic and Atmospheric Administration (NOAA) for:

Operations, Research, and Facilities;

Procurement, Acquisition and Construction; and

Fisheries Disaster Assistance.

Within the Department of Justice, the title provides appropriations for:

the U.S. Marshals Service,

the Federal Bureau of Investigation,

the Drug Enforcement Administration, and

the Federal Prison System.

For science agencies, the title provides appropriations for: (1) the National Aeronautics and Space Administration (NASA), and (2) the National Science Foundation.

The title also provides appropriations for the Legal Services Corporation.

(Sec. 20201) For certain projects in Louisiana, Commerce must waive provisions of the Marine Mammal Protection Act relating to the moratorium on the taking and importation of marine mammals and marine mammals.

Commerce must waive the provisions within 120 days of enactment of this bill, and no rulemaking, permit, determination, or other condition or limitation may be required when issuing the waiver. The waiver must remain in effect for the duration of the construction, operations, and maintenance of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects.

Upon the issuance of the waiver, Louisiana must: (1) to the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) monitor and evaluate the impacts of the projects on such species and population stocks.

### TITLE III

This title provides FY2018 appropriations to the Department of Defense (DOD) for:

Operation and Maintenance,

Procurement,

the Defense Working Capital Funds, and

the Defense Health Program.

### TITLE IV

This title provides FY2018 appropriation to the U.S. Army Corps of Engineers for:

Investigations,

Construction,

Mississippi River and Tributaries,

Operation and Maintenance,

Flood Control and Coastal Emergencies, and

Expenses.

The title also provides appropriations to the Department of Energy (DOE) for: (1) Electricity Delivery and Energy Reliability, and (2) the Strategic Petroleum Reserve (SPR).

(Sec. 20401) The Corps of Engineers must submit to Congress monthly estimates of damages to each Corps of Engineers project.

(Sec. 20402) The section transfers unobligated balances from the Corps of Engineers Flood Control and Coastal Emergencies and Operation and Maintenance accounts to the Construction account to be used for rehabilitation, repair, and construction of certain Corps of Engineer projects.

## TITLE V

This title provides FY2018 appropriations to independent agencies, including the General Services Administration (GSA) and the Small Business Administration (SBA).

For the GSA, the bill provides appropriations to the Federal Buildings Fund.

The title provides appropriations to the SBA for: (1) the Office of Inspector General, and (2) the Disaster Loans Program Account.

## TITLE VI

This title provides FY2018 appropriations to the Department of Homeland Security (DHS) for:

the Office of Inspector General,

U.S. Customs and Border Protection,

U.S. Immigration and Customs Enforcement,

the Transportation Security Administration,

the U.S. Coast Guard, and

Federal Law Enforcement Training Centers.

Within DHS, this title also provides appropriations to Federal Emergency Management Agency (FEMA) for:

Operations and Support;

Procurement, Construction, and Improvements; and

the Disaster Relief Fund.

(Sec. 20601) FEMA may provide assistance for critical services in Puerto Rico and the U.S. Virgin Islands for the duration of the recovery from Hurricanes Maria and Irma and to replace or restore: (1) the function of a facility or system to industry standards without regard to the pre-disaster condition, and (2) components of the facility or system not damaged by the disaster where necessary to fully effectuate the replacement or restoration of disaster-damaged components to restore the function of the facility or system to industry standards.

(Sec. 20602) This section provides hazard mitigation assistance to recipients of Fire Management Assistance Grants for FY2017 and FY2018.

(Sec. 20603) This section extends the period of time that local government revenue loss and projected cash outlays as a result of Hurricanes Harvey, Irma, and Maria may be considered for the purpose of Community Disaster Loans.

(Sec. 20604) This section amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to specify that the private nonprofit facilities that may qualify for certain federal disaster assistance programs include facilities that provide essential social services to the public, community centers, houses of worship, and religious nonprofit organizations.

It also specifies that religious facilities are eligible for assistance for the repair, restoration, and replacement of damaged facilities, without regard to the religious character of the facility or the primary religious use of the facility.

(Sec. 20605) This section specifies that the federal cost share is 90% for debris removal costs related to major disasters declared as a result of a wildfire in 2017.

(Sec. 20606) The President may increase the federal cost share for certain disaster assistance from 75% to 85% if recipients have invested in specified measures that increase readiness for, and resilience from, a major disaster.

(Sec. 20607) This section amends the Consolidated Appropriations Act, 2017 to provide premium pay authority, overtime authority, and exemptions from certain limitations on pay for federal employees who worked overtime in response to disasters in calendar year 2017.

## TITLE VII

This title provides FY2018 appropriations to the Department of the Interior for:

the U.S. Fish and Wildlife Service,

the National Park Service,

the U.S. Geological Survey,

Insular Affairs, and

the Office of Inspector General.

The title also provides appropriations to the Environmental Protection Agency (EPA) for:

Hazardous Substance Superfund,

the Leaking Underground Storage Tank Fund Program, and

State and Tribal Assistance Grants.

The title waives matching and cost share requirements for certain EPA funds that were previously appropriated for capitalization grants for the State Revolving Funds under Federal Water Pollution Control Act (commonly known as the Clean Water Act) or the Safe Drinking Water Act to a state or territory included in a disaster declaration related to Hurricanes Irma and Maria. The title also specifies requirements regarding the use of the funds.

Additionally, this title provides appropriations to the USDA for the Forest Service, including for:

State and Private Forestry,

the National Forest System, and

Capital Improvement and Maintenance.

(Sec. 20701) Agencies receiving funds provided by this title must submit monthly reports to Congress detailing the allocation and obligation of the funds by account.

## TITLE VIII

This title provides FY2018 appropriations to the Department of Labor, the Department of Health and Human Services (HHS), the Department of Education (ED), and related agencies.

The title provides appropriations to Labor for the Employment and Training Administration, including for: (1) Training and Employment Services, and (2) Job Corps.

(Sec. 20801) This section allows the U.S. Virgin Islands to delay an Unemployment Insurance debt payment for one year without interest accruing.

(Sec. 20802) Local workforce areas affected by Hurricanes Harvey, Irma, and Maria may, with the approval of the governor, transfer 100% of the 2016 and 2017 funds provided under the Workforce

Innovation and Opportunity Act (WIOA) for Youth Workforce Investment activities among the Adult, Youth, and Dislocated Worker training categories.

Within HHS, this title provides appropriations to:

the Centers for Disease Control and Prevention (CDC),

the National Institutes of Health,

the Administration for Children and Families, and

the Office of the Secretary for the Public Health and Social Services Emergency Fund.

(Sec. 20803) This section provides HHS with temporary direct hiring authority for positions to perform critical work directly related to the consequences of Hurricanes Harvey, Irma, and Maria, including: (1) intermittent disaster response personnel in the National Disaster Medical System, and (2) term or temporary related positions in the CDC and the Office of the Assistant Secretary for Preparedness and Response.

The title also provides appropriations to ED for Hurricane Education Recovery to assist in meeting the educational needs of individuals affected by natural disasters or emergencies.

(Sec. 20804) This section forgives loans made by ED to Historically Black Colleges and Universities (HBCUs) in response to Hurricane Katrina under the HBCU Hurricane Supplemental Loan program.

(Sec. 20805) This section provides authority and requirements for the transfer of certain funds provided to HHS by this title.

(Sec. 20806) HHS must submit to Congress specified spending plans and updates regarding the uses of funds provided by this title.

(Sec. 20807) Unless otherwise provided for by this title, the additional funds provided by this title for appropriations accounts are subject to the same authorities and conditions that apply to the accounts for FY2018.

## TITLE IX

This title provides FY2018 appropriations to the Government Accountability Office for audits and investigations relating to Hurricanes Harvey, Irma, and Maria and the 2017 wildfires.

## TITLE X

This title provides FY2018 appropriations to DOD for Military Construction for: (1) the Navy and Marine Corps, and (2) the Army National Guard.

It also provides appropriations to the Department of Veterans Affairs (VA) for the Veterans Health Administration, including for:

Medical Services,

Medical Support and Compliance, and

Medical Facilities.

This title also provides appropriations to the VA for Departmental Administration, including Construction--Minor Projects.

(Sec. 21001) DOD must contribute to Puerto Rico 100% of the total cost of construction (including the cost of architectural, engineering and design services) for the acquisition, construction, expansion, rehabilitation, or conversion of the Arroyo readiness center.

## TITLE XI

This title provides FY2018 appropriations to the Department of Transportation (DOT) for:

the Federal Aviation Administration,

the Federal Highway Administration,

the Federal Transit Administration (FTA), and

the Maritime Administration.

(Sec. 21101) The FTA may distribute formula funding for certain programs using the 2000 Census for areas that lost their "urbanized" area designation because the population fell below 50,000 after the 2000 census as a result of a major disaster.

This title also provides appropriations to the Department of Housing and Urban Development (HUD) for Community Planning and Development, including the Community Development Fund.

(Sec. 21102) Funds provided for the Community Development Fund that remain available after the other funds for the account have been allocated for authorized activities may be used for additional mitigation activities in the most impacted and distressed areas resulting from a major declared disaster that occurred in 2014, 2015, 2016, or 2017.

(Sec. 21103) HUD may adjust Section 8 voucher funding and administrative fee eligibility determinations for public housing agencies located in the most impacted and distressed areas in which a major presidentially declared disaster occurred during 2017.

## TITLE XII

(Sec. 21201) The funds provided by this subdivision are in addition to the amounts otherwise provided for the fiscal year involved.

(Sec. 21202) No appropriation provided by this subdivision may remain available beyond the current fiscal year, unless the subdivision expressly provides otherwise.

(Sec. 21203) Unless otherwise specified in this subdivision, the additional funds provided by this subdivision for appropriations accounts are provided under the authorities and conditions applicable to the accounts for FY2018.

(Sec. 21204) Funds provided by this subdivision that are designated by Congress as an emergency requirement are only available if the President subsequently designates all of the amounts and transmits the designations to Congress.

(Sec. 21205) For purposes of this subdivision, the consequences or impacts of any hurricane include damages caused by the storm at any time during the entirety of its duration as a cyclone, as defined by the National Hurricane Center.

(Sec. 21206) Funds that are provided by this subdivision and designated as an emergency requirement shall retain the designation if the funds are transferred under authorities provided by this subdivision.

(Sec. 21207) The terms and conditions that apply to funds provided by this subdivision also apply to funds provided by division B (Supplemental Appropriations for Disaster Relief Requirements, 2017) of P.L 115-56 and division A (Additional Supplemental Appropriations for Disaster Relief Requirements Act of 2017) of P.L. 115-72.

(Sec. 21208) This section amends the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 to: (1) modify requirements for reporting the use of funds, deeming programs

and activities to be susceptible to significant improper payments, and the time frame for spending grants; and (2) apply the requirements to the funds provided by this division.

The Office of Management and Budget must issue standard guidance for federal agencies to use in designing internal control plans for disaster relief funding.

(Sec. 21209) If this subdivision provides more than \$3 billion to an agency (including FEMA, HUD, and the Corps of Engineers), the agency must report to Congress regarding its efforts to provide adequate resources and technical assistance for small, low-income communities affected by natural disasters.

(Sec. 21210) The governor of Puerto Rico, in coordination and with support and contributions from specified federal agencies, must submit to Congress specified reports and status updates regarding Puerto Rico's 12- and 24-month economic and disaster recovery plan.

The Oversight Board established by the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) may review amounts greater than \$10 million that are provided by this subdivision to a covered territory for response to or recovery from Hurricane Irma or Hurricane Maria.

When developing a Fiscal Plan while the recovery plan required under this section is in development and in effect, the Oversight Board must use and incorporate, to the greatest extent feasible, damage assessments prepared pursuant to federal law.

Subdivision 2--Tax Relief and Medicaid Changes Relating To Certain Disasters

## TITLE I--CALIFORNIA FIRES

This title amends the Internal Revenue Code to allow various tax credits, deductions, and modifications to existing rules for individuals and businesses affected by wildfires in California.

(Sec. 20101) A "California wildfire disaster zone" is the portion of the California wildfire disaster area determined by the President to warrant federal assistance under the Stafford Act by reason of wildfires in California.

A "California wildfire disaster area" is an area with respect to which between January 1, 2017, through January 18, 2018, a major disaster has been declared by the President under the Stafford Act by reason of wildfires in California.

(Sec. 20102) This section waives the 10% additional tax on early distributions from retirement plans for up to \$100,000 in qualified wildfire distributions.

A "qualified wildfire distribution" must be made on or after October 8, 2017, and before January 1, 2019, to an individual: (1) whose principal place of abode during any portion of the period from October 8, 2017, to December 31, 2017, is located in the California wildfire disaster area, and (2) who has sustained an economic loss by reason of the wildfires to which the declaration of the area relates.

A taxpayer who has received such a distribution may: (1) repay the distribution by making additional contributions to a retirement account within three years, and (2) include the distribution in gross

income by dividing the amount over a three-year period.

This section also: (1) permits individuals to recontribute funds to retirement plans if the funds were distributed for a home purchase in a California wildfire disaster area that was cancelled on account of the wildfires, and (2) increases the limit and extends the repayment deadline for loans from retirement plans.

(Sec. 20103) This section allow an employee retention tax credit for employers affected by the California wildfires. The credit is equal to 40% of the qualified wages (up to \$6,000 per employee) paid to an employee whose principal place of employment on October 8, 2017, with the employer was in the California wildfire disaster zone.

"Qualified wages" include wages that: (1) are paid or incurred on or after October 8, 2017, and before January 1, 2018; and (2) occurred during the period that begins when the trade or business became inoperable at the principal place of employment of the employee immediately before the wildfires and ends when the trade or business has resumed significant operations.

(Sec. 20104) The section modifies the deduction for charitable contributions to temporarily suspend the limitations on charitable contributions made during the period beginning on October 8, 2017, and ending on December 31, 2018, for relief efforts in the California wildfire disaster area.

The section also modifies the deduction for personal casualty losses in the California wildfire disaster areas to eliminate: (1) the requirement for losses to exceed 10% of adjusted gross income to qualify for

the deduction, and (2) the requirement to itemize.

For the purposes of determining earned income for the earned income tax credit and the child tax credit, certain taxpayers affected by the California wildfires may use earned income from the immediately preceding year.

## TITLE II--TAX RELIEF FOR HURRICANES HARVEY, IRMA, AND MARIA

(Sec. 20201) This title amends the Disaster Tax Relief and Airport and Airway Extension Act of 2017 to modify the Hurricanes Harvey and Irma Disaster Areas to include areas with respect to which a major disaster has been declared by the President before October 17, 2017 (before September 21, 2017, under current law) under the Stafford Act by reasons of Hurricanes Harvey or Irma.

## TITLE III--HURRICANE MARIA RELIEF FOR PUERTO RICO AND THE VIRGIN ISLANDS MEDICAID PROGRAMS

(Sec. 20301) This title increases Medicaid funding for Puerto Rico and the U.S. Virgin Islands through FY2019. Such funding shall be further increased through 2019 for each territory if the territory takes specified actions to improve its Medicaid program. The division also increases the federal medical assistance percentage (FMAP) for the additional funds to 100%.

## TITLE IV--BUDGETARY EFFECTS

(Sec. 20401) This section designates this subdivision as an emergency requirement pursuant to the Statutory Pay-As-You-Go (PAYGO) Act of 2010. (This prohibits the budgetary effects of this subdivision from being counted for the purpose of PAYGO rules that prohibit certain revenue and direct spending legislation from increasing the deficit.)

(Sec. 20402) In the Senate, this subdivision is designated as an emergency requirement pursuant to the FY2018 congressional budget resolution. (Emergency spending is exempt from discretionary spending limits and other budget enforcement rules.)

### Subdivision 3--Further Extension of Continuing Appropriations Act, 2018

#### Further Extension of Continuing Appropriations Act, 2018

(Sec. 20101) This subdivision amends the Continuing Appropriations Act, 2018 to provide continuing FY2018 appropriations to federal agencies through March 23, 2018 (February 8, 2018, under current law).

It ends the government shutdown that began when the existing continuing resolution (CR) expired because the FY2018 appropriations bills have not been enacted.

The subdivision also:

continues funding authority to maintain the schedule and deliver the required data according to statutory deadlines in the 2020 Decennial Census Program,

makes additional funding available for the Southeastern Power Administration,

permits the Department of Energy to draw down and sell up to \$350 million of crude oil from the Strategic Petroleum Reserve (SPR) during FY2018 and requires the proceeds to be used for the SPR modernization program,

makes additional funding available to the judiciary for juror fees,

provides additional funding for the staffing of newly opened or expanded Indian Health Service facilities,

continues Department of Education authority to make account maintenance fee payments to guaranty agencies under the Federal Family Education Loan program,

modifies existing authority to allow the Department of Education to waive cohort default rate requirements for public institutions of higher education operating in economically distressed counties,

provides authority for new construction starts for projects associated with the DOD F-35A Joint Strike Fighter program,

makes technical corrections related to the authority of the Department of Transportation to consolidate its credit programs, and

extends HUD's HOPE VI program for the duration of the CR. (The program provides funds to renovate or demolish existing public housing and replace it with mixed-income housing.)

## DIVISION C--BUDGETARY AND OTHER MATTERS

### TITLE I--BUDGET ENFORCEMENT

(Sec. 30101) This title amends the Balanced Budget and Emergency Deficit Control Act of 1985 to increase the defense and nondefense discretionary spending limits for FY2018 and FY2019.

The title revises procedures for implementing the sequester of direct spending, which is required under current law and involves cuts that interact with discretionary spending levels. The title requires the sequester to take place in FY2018 and FY2019 as if the amendments that this title makes to the discretionary spending limits have not been made.

It also extends the sequester for mandatory spending through FY2027 (currently through FY2025) and adjusts the cuts required for Medicare.

(Direct spending, also known as mandatory spending, is spending provided by laws other than appropriations bills. Sequestration is a process of automatic, usually across-the-board spending

reductions under which budgetary resources are permanently cancelled to enforce specific budget policy goals.)

(Sec. 30102) This section resets the balances on the scorecards established by the Statutory Pay-As-You-Go Act of 2010 (PAYGO) to zero.

(Sec. 30103) After April 15, 2018, but not later than May 15, 2018, the chairman of the Senate Budget Committee must file committee allocations, aggregate spending and revenue levels, and levels of Social Security revenues and outlays consistent with this bill. The chairman may also include the deficit neutral reserve funds contained in the FY2018 budget resolution updated by one fiscal year.

After April 15, 2018, the allocations, aggregates, and levels submitted by the chairman are enforceable in the Senate as if they were included in a FY2019 congressional budget resolution.

This section expires if Congress agrees to a budget resolution for FY2019.

(Sec. 30104) After April 15, 2018, but not later than May 15, 2018, the chairman of the House Budget Committee must submit for publication in the Congressional Record committee allocations, aggregate spending levels, and aggregate revenue levels consistent with this bill.

If a FY2019 congressional budget resolution has not been adopted by April 15, 2018, the allocations, aggregates, and levels submitted by the chairman are enforceable in the House of Representatives as if they were included in a FY2019 congressional budget resolution.

The chairman may adjust the levels to reflect the budgetary effects of any legislation enacted during the 115th Congress that reduces the deficit or as otherwise necessary.

This section expires if Congress agrees to a budget resolution for FY2019.

(Sec. 30105) This section specifies that section 30103 and section 30104 are enacted under the rulemaking powers of the Senate and the House of Representatives and will be considered part of the rules of each chamber. It also recognizes that each chamber has the authority to change the rules.

## TITLE II--OFFSETS

(Sec. 30201) This section amends the Consolidated Omnibus Budget Reconciliation Act of 1985 to extend the authority of Treasury to collect certain customs user fees.

It also amends the United States--Korea Free Trade Agreement Implementation Act to extend the increased rate for merchandise processing fees.

(Sec. 30202) This section extends the requirement for DOT to deposit into the Treasury a portion of the aviation security service fees charged to passengers of air carriers.

(Sec. 30203) This section amends the Immigration and Nationality Act and the Air Transportation Safety and System Stabilization Act to extend certain immigration fees for: (1) using the Electronic

System for Travel Authorization to travel to the United States under the Visa Waiver Program, and (2) L-1 (intracompany transferees) and H-1B visas (temporary workers in professions specialty occupations).

(Sec. 30204) DOE must draw down and sell specified oil from the Strategic Petroleum Reserve (SPR) during FY2022-FY2025, FY2026, and FY2027 and deposit the proceeds in the Treasury during the fiscal year in which the sale occurs.

DOE may not draw down and sell crude oil under this section in quantities that would limit the authority to sell petroleum products under the Energy Policy and Conservation Act in order to prevent or reduce adverse impacts of severe domestic energy supply interruptions.

This section amends the Energy Policy and Conservation Act to: (1) modify the conditions for a drawdown for the SPR to require DOE to find that the action will not impair the ability of the U.S. to carry out U.S. obligations under the international energy program, and (2) prohibit a draw down when there are fewer than 450 million (currently 350 million) barrels of petroleum product stored in the SPR.

(Sec. 30205) This section amends the Federal Reserve Act to reduce the limit on the aggregate amount of the surplus funds of the Federal Reserve banks from \$10 million to \$7.5 million. Under current law, surplus funds that exceed or would exceed the limit must be deposited into the Treasury.

(Sec. 30206) The Department of Labor must award grants for states to conduct a program of reemployment services and eligibility assessments for certain individuals who receive unemployment compensation.

This section also amends the Balanced Budget and Emergency Deficit Control Act of 1985 and the Congressional Budget Act of 1974 to require discretionary spending limits, committee allocations, and budget aggregates to be adjusted, subject to specified limits, for legislation that appropriates more than \$117 million for a fiscal year for the grants.

### TITLE III--TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

(Sec. 30301) The public debt limit is suspended through March 1, 2019. On March 2, 2019, the limit is increased to accommodate obligations issued during the suspension period.

Adjustments to the debt limit for obligations during the suspension period are limited to obligations necessary to fund a commitment incurred by the federal government that required payment before March 2, 2019. The Department of the Treasury may not issue obligations during the suspension period to increase cash balances above normal operating balances.

### TITLE IV--JOINT SELECT COMMITTEES

#### Subtitle A--Joint Select Committee on Solvency of Multiemployer Pension Plans

(Sec. 30422) This subtitle establishes a joint select committee of Congress to provide recommendations and legislative language that will significantly improve the solvency of multiemployer pension plans and the Pension Benefit Guaranty Corporation.

The joint committee terminates on December 31, 2018, or 30 days after submission of its report and legislative recommendations, whichever occurs first.

(Sec. 30423) The Senate may allocate up to \$500,000 from the special reserve within the Expenses of Inquiries and Investigations account for use by the joint committee. None of the funds provided by this section may be obligated by the joint committee after January 2, 2019.

(Sec. 30424) The Senate must consider legislation proposed by the joint committee using specified expedited legislative procedures.

#### Subtitle B--Joint Select Committee on Budget and Appropriations Process Reform

(Sec. 30442) This subtitle establishes a joint select committee of Congress to provide recommendations and legislative language that will significantly reform the budget and appropriations process.

The joint committee terminates on December 31, 2018, or 30 days after submission of its report and legislative recommendations, whichever occurs first.

(Sec. 30443) The Senate may allocate up to \$500,000 from the special reserve within the Expenses of Inquiries and Investigations account for use by the joint committee. None of the funds provided by this section may be obligated by the joint committee after January 2, 2019.

(Sec. 30444) The Senate must consider legislation proposed by the joint committee using specified expedited legislative procedures.

## DIVISION D--REVENUE MEASURES

This division amends the Internal Revenue Code to extend various expiring tax provisions and modify several tax credits, deductions, and requirements.

### TITLE I--EXTENSION OF EXPIRING PROVISIONS

#### Subtitle A--Tax Relief For Families And Individuals

(Sec. 40201) This section extends through 2017 the exclusion from gross income for the discharge of qualified principal residence indebtedness.

(Sec. 40202) This section extends through 2017 the treatment of mortgage insurance premiums as qualified residence interest.

(Sec. 40203) This section extends through 2017 the above-the-line deduction for qualified tuition and related expenses.

#### Subtitle B--Incentives For Growth, Jobs, Investment, And Innovation

(Sec. 40301) This section extends through 2017 the Indian employment credit.

(Sec. 40302) This section extends through 2017 the railroad track maintenance credit.

(Sec. 40303) This section extends through 2017 the mine rescue team training credit.

(Sec. 40304) This section extends through 2017 the classification of certain race horses as three-year property for the purposes of depreciation.

(Sec. 40305) This section extends through 2017 the seven-year recovery period for motorsports entertainment complexes for the purposes of depreciation.

(Sec. 40306) This section extends through 2017 the accelerated depreciation for business property on an Indian reservation.

(Sec. 40307) This section extends through 2017 the election to expense advanced mine safety equipment.

(Sec. 40308) This section extends through 2017 the special expensing rules for certain film, television, and live theatrical productions.

(Sec. 40309) This section extends through 2017 the deduction for income attributable to domestic production activities in Puerto Rico.

(Sec. 40310) This section extends through 2017 the special tax rate for certain timber gains.

(Sec. 40311) This section extends through 2017 the empowerment zone tax incentives.

(Sec. 40312) This section amends the Tax Relief and Health Care Act of 2006 to extend through 2017 the American Samoa economic development credit.

## Subtitle C--Incentives For Energy Production And Conservation

(Sec. 40401) This section extends through 2017 the credit for nonbusiness energy property.

(Sec. 40402) This section extends through 2021 the residential energy efficient property credit for fuel cell, small wind, and geothermal heat pump property expenditures. It also reduces the credit rate for the property from 30% to 26% for property placed in service in 2020 and to 22% for property placed in service in 2021.

(Sec. 40403) This section extends through 2017 the alternative motor vehicle credit for new qualified fuel cell motor vehicles.

(Sec. 40404) This section extends through 2017 the credit for alternative fuel vehicle refueling property.

(Sec. 40405) This section extends through 2017 the credit for two-wheeled plug-in electric vehicles.

(Sec. 40406) This section extends through 2017 the second generation biofuel producer credit.

(Sec. 40407) This section extends through 2017: (1) the income tax credit for biodiesel and renewable diesel used as fuel, (2) the excise tax credit for biodiesel mixtures, and (3) the payments that are equivalent to the excise tax credit for biodiesel mixtures.

(Sec. 40408) This section extends through 2017 the production credit for Indian coal facilities.

(Sec. 40409) This section extends through 2017 the beginning-of-construction date for non-wind renewable power facilities eligible to claim the renewable electricity production credit or the credit for investments in energy property in lieu of the production credit.

(Sec. 40410) This section extends through 2017 the credit for energy efficient new homes.

(Sec. 40411) This section modifies the credit for investment in energy property to extend the energy credit for fiber optic solar, fuel cell, microturbine, and combined heat and power system, geothermal heat pump, and small wind property for property with construction that begins before January 1, 2022.

With respect to fiber optic solar, fuel cell, and small wind energy property, the bill: (1) reduces the 30% credit rate to 26% for property with construction that begins in 2020 and to 22% for property with construction that begins in 2021, and (3) requires the property to be placed in service before 2024 to qualify for the credit.

(Sec. 40412) This section extends through 2017 the special depreciation allowance for second generation biofuel plant property.

(Sec. 40413) This section extends through 2017 the deduction for energy efficient commercial buildings.

(Sec. 40414) This section extends through 2017 the tax deferral rules for sales or dispositions of qualified electric facilities to implement Federal Energy Regulatory Commission or state electric restructuring policy.

(Sec. 40415) This section extends through 2017: (1) the excise tax credit for alternative fuels, (2) the excise tax credit for alternative fuel mixtures, and (3) the payments that are equivalent to the excise tax credit for alternative fuels.

(Sec. 40416) This section extends through 2018 the Oil Spill Liability Trust Fund financing rate.

#### Subtitle D--Modifications Of Energy Incentives

(Sec. 40501) This section modifies the tax credit for the production of electricity from advanced nuclear power facilities to: (1) establish requirements for the allocation of unutilized portions of the national megawatt capacity limitation, and (2) allow public entities to transfer the credit to project partners.

#### TITLE II--MISCELLANEOUS PROVISIONS

(Sec. 41102) This section extends the increase in the limit on the amount of excise taxes on rum covered over (paid) to the treasuries of Puerto Rico and the Virgin Islands. (Under the provision, the limitation of \$13.25 per proof gallon is extended for rum brought into the United States after December 31, 2016, and before January 1, 2022. After December 31, 2021, the limit reverts to \$10.50 per proof gallon.)

The amount of excise taxes collected on rum must be determined without regard to the reduced tax rates that apply for 2018 and 2019.

(Sec. 41103) This section amends the Protecting Americans from Tax Hikes Act of 2015 to extend the waiver of limitations on credits or refunds related to the exclusion from gross income of certain civil damages, restitution, or other monetary awards received by wrongfully incarcerated individuals.

(Sec. 41104) This section holds individuals harmless for making certain contributions to retirement plans after an improper levy on a retirement plan.

(Sec. 41105) This section modifies the user fee requirements for installment agreements to: (1) limit the fee to the amount that is in effect on the date of enactment of this section, and (2) require waivers and reimbursements of fees for certain low-income taxpayers.

(Sec. 41106) This section directs the Internal Revenue Service (IRS) to make available to taxpayers who have turned age 65 at the close of the taxable year a new federal income tax Form 1040SR (similar to the existing Form 1040EZ). Such taxpayers may use this new form even if their income includes: (1)

Social Security benefits; (2) distributions from qualified retirement plans, annuities, or other such deferred payment arrangements; (3) interest and dividends; or (4) capital gains and losses.

The form must be available without regard to the amount of any item of taxable income or the total amount of taxable income for the taxable year.

(Sec. 41107) This section expands the above-the-line deduction for attorney's fees relating to awards to whistle-blowers to include fees paid in connection with certain actions brought under the Securities Exchange Act of 1934, a state false claims act, or the Commodity Exchange Act.

(Sec. 41108) This section modifies requirements for the IRS to award whistle-blowers a specified percentage of the collected proceeds from an administrative or judicial action, or settlement in the response to the action, based on the information provided by the whistle-blower.

The bill specifies that the term "proceeds" includes (1) penalties, interest, additions to tax, and additional amounts provided under the internal revenue laws; and (2) any proceeds arising from laws for which the IRS is authorized to administer, enforce, or investigate, including: criminal fines and civil forfeitures, and violations of reporting requirements.

The bill also specifies that: (1) the amount of proceeds must be determined without regard to whether such proceeds are available to the IRS, and (2) the disputed amount threshold applies to the amount of proceeds in dispute. (Under current law, the threshold applies to the amount of tax, penalties, interest, additions to tax, and additional amounts in dispute.)

(Sec. 41109) This section modifies the excise tax based on investment income of private colleges and universities to exempt educational institutions that do not have tuition-paying students.

(Sec. 41110) This section creates an exception to the excise tax on excess business holdings for the holdings of a private foundation in any business enterprise that meets specified requirements relating to exclusive ownership, minimum distribution of net operating income for the charitable purpose (all profits to charity distribution requirement), and independent operation (not controlled by a substantial contributor or family members) from the excise taxes on excess business holdings.

(Sec. 41111) Specified provisions of P.L. 115-97 (commonly known as the Tax Cuts and Jobs Act) related to the taxation of alcoholic beverages may not be construed to preempt, supersede, or otherwise limit or restrict any state, local, or tribal law that prohibits or regulates the production or sale of distilled spirits, wine, or malt beverage.

(Sec. 41112) This section modifies requirements for records, statements, and returns for certain breweries.

(Sec. 41113) The Department of the Treasury must modify regulations governing hardship distributions from certain retirement plans to: (1) delete the requirement that an employee be prohibited from making elective deferrals and employee contributions for six months after the receipt of a hardship distribution in order for the distribution to be deemed necessary to satisfy an immediate and

heavy financial need, and (2) make any other modifications necessary to carry out the purposes of the rule allowing elective deferrals to be distributed in the case of hardship.

(Sec. 41114) This section allows earnings on elective deferrals under a section 401(k) plan, as well as qualified nonelective contributions and qualified matching contributions (and associated earnings), to be distributed on account of hardship. A distribution is not treated as failing to be on account of hardship solely because the employee does not take any available plan loan.

(Sec. 41115) This section deems population census tracts in Puerto Rico that are low-income communities to be certified and designated as a qualified opportunity zone. (Various tax incentives apply for investments in opportunity zones in low-income areas.)

(Sec. 41116) This section allows certain U.S. citizens or residents living abroad in support of the Armed Forces in a combat zone to be treated as having a tax home in a foreign country.

(Sec. 41117) This section modifies the requirements for returns relating to payments made in settlement of payment card and third party network transactions. A person with only a foreign address may not be treated as a participating payee with respect to any payment settlement entity solely because such person receives payments from such payment settlement entity in dollars.

(Sec. 41118) This section amends the Trade Preferences Extension Act of 2015 to repeal a shift in the time of payment of corporate estimated taxes. It repeals the 8% increase in the amount of the required

installment of corporate estimated tax otherwise due in July, August, or September of 2020. It also increases the next required installment to reflect the amount of the decrease due to this provision.

(Sec. 41119) This section extends and modifies the tax credit for carbon dioxide sequestration. The section modifies the credit to apply it to carbon oxide sequestration. (Carbon oxide refers to any of the three oxides of carbon: carbon dioxide, carbon monoxide, and carbon suboxide.)

This section also:

allows certain new industrial or direct air capture facilities to qualify for the credit if construction begins before January 1, 2024;

allows qualified projects to claim the credit for 12 years, beginning on the date the equipment was originally placed in service;

increases the separate credit amounts, with respect to projects placed in service upon or after the enactment of this bill, that apply to captured carbon oxide that is: (1) disposed of in secure geological storage, and (2) used as a tertiary injectant in an enhanced oil or natural gas recovery project and disposed of in secure geological storage;

expands the purposes for which captured carbon oxide may be used;

establishes separate carbon oxide capture thresholds for electricity generating facilities, direct air capture facilities, and facilities used for other purposes;

specifies that the 75 million metric ton cap on the carbon dioxide that may qualify for the credit applies to carbon oxide and only to projects placed in service before the enactment of this bill; and

allows the credit to be transferred from the entity that owns and uses the capture equipment to the entity that disposes of or uses the carbon oxide.

## DIVISION E--HEALTH AND HUMAN SERVICES EXTENDERS

### TITLE I--CHIP

(Sec. 50101) This title extends funding through FY2027 the Children's Health Insurance Program (CHIP) and the Child Enrollment Contingency Fund.

In addition, the title reauthorizes through FY2027:

the qualifying-states option (which allows states that provided coverage to now CHIP-eligible children prior to CHIP's enactment to continue to provide such coverage), and

the express-lane eligibility option (which allows states to use eligibility findings from other public benefit programs to determine children's eligibility for Medicaid and CHIP).

(Sec. 50102) The title extends funding through FY2027 for the Pediatric Quality Measures Program and otherwise revises the program.

(Sec. 50103) The title extends funding through FY2027 for CHIP's outreach and enrollment program and otherwise revises the program.

## TITLE II--MEDICARE EXTENDERS

(Sec. 50201) This title extends by two years the floor of the Work Geographic Practice Cost Index (which affects how certain Medicare fees are paid in various localities).

(Sec. 50202) The title repeals specified caps on Medicare payment for certain therapy services. However, claims for therapy services beyond specified payment thresholds shall be subject to targeted medical review.

(Sec. 50203) The title extends specified Medicare payment increases related to ground-ambulance services. The Centers for Medicare & Medicaid Services (CMS) must develop a data collection system to collect cost, revenue, utilization, and other information from providers of such services.

(Sec. 50204) The title extends and otherwise revises specified Medicare payment increases for certain low-volume hospitals.

(Sec. 50205) The title extends and otherwise revises the Medicare-Dependent Hospital Program (which provides increased payments to certain smaller, rural hospitals that serve a proportionally high number of Medicare patients).

(Sec. 50206) The title extends funding for certain Medicare quality-measurement activities and requires the Government Accountability Office (GAO) to report on such activities.

(Sec. 50207) The title extends funding for state health-insurance programs, area agencies on aging, aging and disability resource centers, and technical assistance related to outreach and enrollment.

(Sec. 50208) The title extends and otherwise revises specified Medicare payment increases for home-health services furnished in rural counties.

## TITLE III--CREATING HIGH-QUALITY RESULTS AND OUTCOMES NECESSARY TO IMPROVE CHRONIC (CHRONIC) CARE

### Subtitle A--Receiving High Quality Care in the Home

(Sec. 50301) This subtitle extends and expands the Independence at Home demonstration program, through which comprehensive primary-care services are delivered at home to Medicare beneficiaries with multiple chronic conditions.

(Sec. 50302) A Medicare beneficiary who has end-stage renal disease (ESRD) and is receiving home dialysis may choose to receive monthly ESRD-related visits via telehealth, provided that the beneficiary also receives face-to-face visits periodically. Specified facility fees and geographic requirements shall not apply with respect to the provision of such services via telehealth.

## Subtitle B--Advancing Team-Based Care

(Sec. 50311) Current law allows a Medicare Advantage (MA) plan, until 2019, to restrict plan enrollment to individuals who are within one or more classes of special-needs individuals. This subtitle allows an MA plan to do so permanently, provided that the plan meets specified applicable requirements.

The Federal Coordinated Health Care Office within the CMS shall serve as a dedicated point of contact for states with regard to special-needs MA plans for individuals who are dually eligible for Medicaid and Medicare. The CMS shall establish a unified process for grievances and appeals for individuals enrolled in such plans.

The CMS must, with respect to special-needs MA plans for individuals with chronic conditions, convene a panel of clinical advisors to establish and update the list of chronic conditions that make an individual eligible for participation in such a plan.

The CMS shall, with respect to special-needs MA plans, consider applying certain quality measures at the plan level rather than at the contract level.

The GAO must report to Congress on state-level integration between the Medicaid program and special-needs MA plans for individuals who are dually eligible for Medicaid and Medicare.

## Subtitle C--Expanding Innovation and Technology

(Sec. 50321) The Center for Medicare & Medicaid Innovation shall expand testing of an MA value-based insurance model that allows MA plans to propose and design benefit structures that vary benefits, cost-sharing, and supplemental benefits with respect to enrollees who have specific chronic diseases. The test model (initially being carried out in specified states) shall be expanded to all states, and may not be terminated prior to 2022.

(Sec. 50322) Beginning in plan year 2020, an MA plan may provide certain supplemental benefits to chronically ill enrollees.

The GAO must report to Congress on the provision of such supplemental benefits to MA enrollees.

(Sec. 50323) Beginning in plan year 2020, an MA plan may provide certain additional telehealth benefits.

(Sec. 50324) With respect to the provision of telehealth services to Medicare fee-for-service (FFS) beneficiaries at home by certain accountable care organizations (ACOs), the home shall be treated as an originating site. In such a case, (1) specified geographic limitations shall generally not apply, (2) the CMS shall not pay an originating-site facility fee, and (3) the CMS shall not pay for services that are

inappropriate to furnish in a home setting. The GAO must report to Congress on the implementation of these requirements.

(Sec. 50325) Certain siting requirements applicable under the Medicare program shall not apply to telehealth services furnished after 2018 for purposes of diagnosing, evaluating, or treating an acute stroke. The CMS shall not, with respect to such telehealth services, pay an originating-site facility fee to an originating site that does not meet those requirements.

#### Subtitle D--Identifying the Chronically Ill Population

(Sec. 50331) This subtitle requires the CMS to: (1) allow certain ACOs to elect prospective, rather than retrospective, assignment of Medicare FFS beneficiaries; and (2) allow a Medicare FFS beneficiary to voluntarily identify an ACO professional as the beneficiary's primary-care provider for purposes of the beneficiary's assignment to an ACO.

#### Subtitle E--Empowering Individuals and Caregivers in Care Delivery

(Sec. 50341) This subtitle allows certain ACOs to operate incentive-payment programs for beneficiaries who receive qualifying primary-care services.

(Sec. 50342) The GAO must report to Congress on the establishment, under Medicare, of a payment code for longitudinal comprehensive-care planning services.

## Subtitle F--Other Policies to Improve Care for the Chronically Ill

(Sec. 50351) The GAO must report to Congress on the extent to which Medicare prescription drug plans (PDPs) and private payors use programs that synchronize pharmacy dispensing to facilitate comprehensive counseling and promote medication adherence.

(Sec. 50352) The GAO must report to Congress on the use of prescription drugs to manage the weight of obese patients and the impact of such drugs on patient health and health care spending.

(Sec. 50353) The CMS shall report to Congress on long-term cost drivers to the Medicare program that may contribute to the deterioration of health conditions among Medicare beneficiaries with chronic conditions.

(Sec. 50354) The CMS must establish a process for Medicare PDP sponsors to request, beginning in plan year 2020, standardized extracts of claims data for Medicare hospital and medical services. PDP sponsors may use such data for specified purposes.

## TITLE IV--PART B IMPROVEMENT ACT AND OTHER PART B ENHANCEMENTS

### Subtitle A--Medicare Part B Improvement Act

(Sec. 50401) This subtitle temporarily provides for transitional Medicare payment with respect to certain home-infusion services furnished on or after January 1, 2019. Under current law, the CMS is

required to establish a permanent payment system with respect to such services furnished on or after January 1, 2021.

(Sec. 50402) Documentation created by an orthotist or prosthetist shall be considered part of a Medicare beneficiary's medical record for purposes of determining the reasonableness and medical necessity of orthotics and prosthetics.

(Sec. 50403) The subtitle allows renal-dialysis facilities to be accredited by a CMS-approved accreditation body for participation in the Medicare program. The subtitle also establishes a time frame with respect to initial surveys of renal-dialysis facilities.

(Sec. 50404) The subtitle codifies certain CMS rules regarding signature requirements and holdover arrangements as they relate to prohibitions against physician self-referrals.

## Subtitle B--Additional Medicare Provisions

(Sec. 50411) This subtitle makes permanent the elimination of a specified Medicare payment cap with respect to speech-generating devices.

(Sec. 50412) The subtitle increases civil and criminal penalties relating to false claims and other abuse under Medicare, Medicaid, and other federal health care programs.

(Sec. 50413) The subtitle repeals the requirement for the CMS to, over time, require more stringent measures for the meaningful use of electronic health records by providers.

(Sec. 50414) The subtitle modifies provisions relating to Medicare's competitive-acquisition program with respect to diabetic-testing strips.

## TITLE V--OTHER HEALTH EXTENDERS

(Sec. 50501) This title extends funding for family-to-family health information centers.

(Sec. 50502) The title extends funding for, and otherwise revises provisions related to, sexual-risk avoidance education.

(Sec. 50503) The title extends funding for, and otherwise revises provisions related to, personal-responsibility education.

## TITLE VI--CHILD AND FAMILY SERVICES AND SUPPORTS EXTENDERS

### Subtitle A--Continuing the Maternal, Infant, and Early Childhood Home Visiting Program

(Sec. 50601) This subtitle reauthorizes through FY2022, and otherwise revises, the Maternal, Infant, and Early Childhood Home Visiting Program.

(Sec. 50602) Under current law, grantees were required, after three years of program implementation, to demonstrate improvement in specified benchmark areas. The subtitle requires grantees to continue to track and demonstrate, on a triennial basis, improvement in applicable benchmark areas. A grantee that fails to do so must develop and implement a corrective action plan, subject to approval by the Department of Health and Human Services (HHS). HHS shall terminate a program grant made to a grantee that implements such a plan but continues to fail to demonstrate improvement.

(Sec. 50603) As a condition for receiving grant funds under the program, a state must review and update its statewide needs assessment by October 1, 2020.

(Sec. 50605) A grantee may use a portion of program grant funds to support "pay-for-outcomes initiative" (a performance-based grant, contract, or cooperative agreement, awarded by a public entity, in which a commitment is made to pay for improved outcomes that result in social benefit and public-sector cost savings).

(Sec. 50606) HHS must designate data-exchange standards applicable to the program.

(Sec. 50607) To the extent that grant funds are allocated on the basis of relative population or poverty considerations, HHS shall use the most accurate federal data available.

Subtitle B--Extension of Health Professions Workforce Demonstration Projects

(Sec. 50611) This subtitle extends demonstration projects addressing health-professions workforce needs.

## TITLE VII--FAMILY FIRST PREVENTION SERVICES ACT

Subtitle A--Investing in Prevention and Supporting Families

Bipartisan Budget Act of 2018

Part I--Prevention Activities under Title IV-E

(Sec. 50711) This subtitle revises provisions related to payments to states for certain foster-care prevention services and programs. HHS may reimburse a state for providing such services or programs to enable a child to remain safely at home or in a kinship placement instead of entering foster care.

(Sec. 50712) Under specified circumstances, a child shall be eligible for foster-care maintenance payments for a period of up to one year during which the child is placed with a parent who is in a licensed, residential, family-based treatment facility for substance abuse.

(Sec. 50713) States shall be entitled to specified federal reimbursement for the costs of operating kinship-navigator programs.

Part II--Enhanced Support under Title IV-B

(Sec. 50721) Current law restricts the provision of certain family-reunification services to a 15-month period that begins when a child enters foster care. The subtitle eliminates this restriction and otherwise revises provisions related to such services.

(Sec. 50722) The subtitle revises provisions related to the interstate placement of children.

(Sec. 50723) The subtitle reauthorizes through FY2021, and otherwise revises, targeted grants for improving permanency outcomes for children affected by substance abuse.

### Part III--Miscellaneous

(Sec. 50731) HHS must identify model standards for the licensing of relative foster-family homes. By a specified date, each state shall report to HHS specified information related to whether the state's licensing standards are consistent with the model standards.

(Sec. 50732) The subtitle revises documentation requirements for states with respect to child-maltreatment deaths.

### Part IV--Ensuring the Necessity of a Placement that Is Not in a Foster Family Home

(Sec. 50741) The subtitle limits federal reimbursement to states for placements that are not in foster-family homes.

(Sec. 50742) The subtitle establishes assessment, documentation, and judicial-determination requirements with respect to a child's placement in a qualified residential -treatment program.

(Sec. 50743) A state plan for child-welfare services must include an outline of procedures and protocols the state has established to ensure that children are not placed in foster-care placements other than foster-family homes due to inappropriate diagnoses.

(Sec. 50744) The subtitle revises state reporting requirements with respect to children in foster-care placements other than foster-family homes.

(Sec. 50745) In general, a state plan for foster-care and adoption assistance shall provide procedures for a child-care institution to conduct criminal-records checks of any adult working in the institution.

## Part V--Continuing Support for Child and Family Services

(Sec. 50751) HHS shall make competitive grants to states to support the recruitment and retention of high-quality foster families.

(Sec. 50752) The subtitle reauthorizes through FY2021 specified child- and family-services programs.

(Sec. 50753) The subtitle revises provisions related to the John H. Chafee Foster Care Independence Program (renamed by the bill as the John H. Chafee Foster Care Program for Successful Transition to Adulthood).

## Part VI--Continuing Incentives to States to Promote Adoption and Legal Guardianship

(Sec. 50761) The subtitle reauthorizes through FY2020 certain adoption and legal-guardianship incentive-payment programs for states.

## Part VII--Technical Corrections

(Sec. 50771) The subtitle revises provisions regarding data exchange standards with respect to child-welfare services.

(Sec. 50772) The subtitle revises provisions regarding the required contents of a state child-welfare services plan with respect to a child's developmental needs.

## Part VIII--Ensuring States Reinvest Savings Resulting from Increase in Adoption Assistance

(Sec. 50781) The subtitle delays the final phase-out of certain income-eligibility requirements with respect to adoption-assistance payments.

(Sec. 50782) The GAO must study and report on the effects of the phase-out.

## TITLE VIII--SUPPORTING SOCIAL IMPACT PARTNERSHIPS TO PAY FOR RESULTS

### Social Impact Partnerships to Pay for Results Act

(Sec. 50802) This title allows the Department of the Treasury to enter into agreements with state and local governments for social-impact partnership projects for which federal funds shall be awarded only if a project achieves certain agreed-upon outcomes resulting in both social benefit and federal, state, or local savings. In carrying out these agreements, Treasury must consult with the Federal Interagency Council on Social Impact Partnerships and the Commission on Social Impact Partnerships (both newly established by this title).

## TITLE IX--PUBLIC HEALTH PROGRAMS

(Sec. 50901) This title extends funding for, and otherwise revises provisions related to, community health centers, teaching health centers, and the National Health Service Corps.

(Sec. 50902) The title extends funding for certain diabetes programs.

## TITLE X--MISCELLANEOUS HEALTH CARE POLICIES

(Sec. 51001) This title requires the CMS, by 2020, to apply a 30-day unit of service for purposes of implementing prospective payment with respect to Medicare home-health services.

(Sec. 51002) The CMS shall, as appropriate, use an individual's medical record from a home-health agency to support certification of the individual's Medicare eligibility for home-health services.

(Sec. 51003) The title modifies provisions related to Medicare's merit-based incentive payment system.

(Sec. 51004) The title revises requirements related to Medicare coverage of intensive cardiac-rehabilitation programs.

(Sec. 51005) The title extends certain payment rules related to long-term care hospital discharges.

(Sec. 51006) The title allows physician assistants to provide hospice care under Medicare.

(Sec. 51007) The title extends the application by the CMS of an instruction against the enforcement, under the Medicare program, of certain physician-supervision requirements with respect to outpatient services in critical-access hospitals and small rural hospitals.

(Sec. 51008) The title allows physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

(Sec. 51009) The title extends certain Medicare payment rules related to radiation-therapy services.

## TITLE XI--PROTECTING SENIORS' ACCESS TO MEDICARE ACT

(Sec. 52001) This title amends the Patient Protection and Affordable Care Act (PPACA) to terminate the Independent Payment Advisory Board. Under PPACA, the board is tasked with developing proposals to reduce the per capita rate of growth in Medicare spending.

## TITLE XII--OFFSETS

(Sec. 53101) This title modifies reductions to Medicaid disproportionate-share hospital allotments.

(Sec. 53102) The title revises provisions related to third-party liability with respect to Medicaid and CHIP claims.

(Sec. 53103) The title specifies how a state must treat qualified lottery winnings and lump-sum income for purposes of determining an individual's income-based eligibility for a state Medicaid program.

(Sec. 53104) Provisions related to line-extension drugs under the Medicaid Drug Rebate Program are revised.

(Sec. 53105) The title eliminates funding available to the Medicaid Improvement Fund.

(Sec. 53106) The title reduces the percentage amount of the Medicare physician fee-schedule payment update for 2019.

(Sec. 53107) The title reduces Medicare payment for certain outpatient physical- and occupational-services furnished by a therapy assistant.

(Sec. 53108) The title reduces Medicare payment for certain non-emergency ambulance transports to and from renal-dialysis facilities.

(Sec. 53109) A Medicare hospital-transfer payment policy is established with respect to early discharges to hospice care.

(Sec. 53110) The title modifies the Medicare payment update for home-health services.

(Sec. 53111) The title modifies the Medicare payment update for skilled nursing facilities.

(Sec. 53112) The title establishes a special rule for calculating the star rating of an organization following the consolidation of MA plans offered by the organization.

(Sec. 53113) Biosimilars shall be included in the Medicare prescription drug benefit's coverage-gap discount program.

(Sec. 53114) The title eliminates Medicare premium subsidies for beneficiaries with annual incomes exceeding \$500,000.

(Sec. 53115) The title eliminates funding available to the Medicare Improvement Fund.

(Sec. 53116) The title accelerates the closure of the Medicare prescription drug benefit's coverage gap that is known as the "donut hole."

(Sec. 53117) Child-support enforcement fees are modified.

(Sec. 53118) The title revises provisions regarding reporting by correctional institutions on data related to Supplemental Security Income payments to individuals who are incarcerated.

(Sec. 53119) The title reduces funding available to the Prevention and Public Health Fund.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

### Honoring Hometown Heroes Act

(Sec. 2) This bill authorizes the governor of a state, territory, or possession of the United States or the Mayor of the District of Columbia to proclaim that the U.S. flag shall be flown at half-staff in the event of the death of a first responder (public safety officer) working in such jurisdiction who dies while serving in the line of duty.

(This measure has not been amended since it was reported to the House on May 15, 2017. The summary of that version is repeated here.)

### Honoring Hometown Heroes Act

(Sec. 2) This bill authorizes the governor of a state, territory, or possession of the United States or the Mayor of the District of Columbia to proclaim that the U.S. flag shall be flown at half-staff in the event of the death of a first responder (public safety officer) working in such jurisdiction who dies while serving in the line of duty.

## Subject Keywords

- Academic performance and assessments
- Administrative law and regulatory procedures

- Adoption and foster care
- Advisory bodies
- Afghanistan
- Alternative dispute resolution, mediation, arbitration
- Appropriations
- Arms control and nonproliferation
- Asia
- Assault and harassment offenses
- Atmospheric science and weather
- Aviation and airports
- Banking and financial institutions regulation
- Buy American requirements
- Cardiovascular and respiratory health
- Caribbean area
- Central Intelligence Agency (CIA)

- Chemical and biological weapons
- Child care and development
- Child health
- Child safety and welfare
- Commemorative events and holidays
- Computers and information technology
- Conflicts and wars
- Congressional oversight
- Correctional facilities and imprisonment
- Crime prevention
- Crime victims
- Crimes against women
- Cuba
- Defense spending
- Department of Defense

- Detention of persons
- Digestive and metabolic diseases
- Disability and paralysis
- Domestic violence and child abuse
- Drug trafficking and controlled substances
- Drug, alcohol, tobacco use
- Economics and public finance
- Education of the disadvantaged
- Education programs funding
- Educational facilities and institutions
- Educational technology and distance education
- Elementary and secondary education
- Emergency medical services and trauma care
- Employment and training programs
- Europe

- Executive agency funding and structure
- First responders and emergency personnel
- Foreign aid and international relief
- Government employee pay, benefits, personnel management
- Government information and archives
- Government lending and loan guarantees
- Government liability
- Government studies and investigations
- Guam
- Health care costs and insurance
- Health facilities and institutions
- Health programs administration and funding
- Health promotion and preventive care
- Higher education
- Home and outpatient care

- Homelessness and emergency shelter
- Idaho
- Illinois
- Indian lands and resources rights
- Indian social and development programs
- Infectious and parasitic diseases
- Intelligence activities, surveillance, classified information
- Intergovernmental relations
- International law and treaties
- International monetary system and foreign exchange
- Iran
- Iraq
- Israel
- Jordan
- Kuwait

- Latin America
- Law enforcement officers
- Long-term, rehabilitative, and terminal care
- Manufacturing
- Marriage and family status
- Marshall Islands
- Medicaid
- Medical education
- Medicare
- Mental health
- Metals
- Micronesia
- Middle East
- Military assistance, sales, and agreements
- Military command and structure

- Military education and training
- Military facilities and property
- Military medicine
- Military operations and strategy
- Military personnel and dependents
- Military procurement, research, weapons development
- Military readiness
- Minnesota
- Montana
- National Guard and reserves
- National Security Agency
- National symbols
- Nevada
- New Jersey
- North Dakota

- North Korea
- Northern Mariana Islands
- Nuclear weapons
- Oil and gas
- Oregon
- Pacific Ocean
- Pakistan
- Palau
- Performance measurement
- Pornography
- Poverty and welfare assistance
- Prescription drugs
- Presidents and presidential powers, Vice Presidents
- Public contracts and procurement
- Public-private cooperation

- Research administration and funding
- Research and development
- Russia
- Sex and reproductive health
- Sex offenses
- Small business
- Social work, volunteer service, charitable organizations
- South Dakota
- State and local government operations
- Syria
- Technology transfer and commercialization
- Teenage pregnancy
- Terrorism
- Trade agreements and negotiations
- Trade restrictions

- Transportation costs
- U.S. territories and protectorates
- Ukraine
- Unemployment
- Veterans' education, employment, rehabilitation
- Veterans' medical care
- Wages and earnings
- War and emergency powers
- Washington State
- Youth employment and child labor

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