

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4872  
OFFERED BY MS. JACKSON LEE OF TEXAS**

In section 1106(1), strike the “and” at the end.

In section 1106, redesignate paragraph (2) as paragraph (3).

In section 1106, insert after paragraph (1) the following new paragraph:

1           (2) in paragraph (1)(B), by striking “para-  
2           graph (3)” and inserting “paragraphs (3) and (4”;

In section 1106(3), strike the period at the end and insert a semicolon.

In section 1106, insert at the end the following paragraphs:

3           (4) by redesignating paragraphs (4) through  
4           (7) as paragraphs (5) through (8), respectively; and  
5           (5) by inserting after paragraph (3) the fol-  
6           lowing new paragraph:  
7           “(4) EXCEPTION FOR SAFETY NET HOS-  
8           PITALS.—

1           “(A) LIMITATION.—The provisions of  
2 paragraph (3) shall not apply to a safety net  
3 hospital, as defined under subparagraph (B).

4           “(B) SAFETY NET HOSPITAL.—For the  
5 purposes of this section, the term ‘safety net  
6 hospital’ means—

7               “(i)(I) a hospital that meets the cri-  
8 teria for disproportionate share hospital  
9 under section 1923(b); or

10               “(II) whose number of emergency de-  
11 partment patient visits is estimated to be  
12 greater than the average number of emer-  
13 gency department patient visits for all hos-  
14 pitals in the state in which the hospital is  
15 located with respect to each of the 3 most  
16 recent cost reporting periods; and

17               “(ii) in addition to meeting the re-  
18 quirements of either clauses (i) or (ii) sub-  
19 paragraph (F) of paragraph (3), also  
20 meets the conditions described in clauses  
21 (iii) and (iv) of subparagraph (E) of such  
22 paragraph.”.

