

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To require entities to meet minimum cybersecurity standards to be eligible for Medicare accelerated and advance payment programs if the reason for the need for such payments is due to a cybersecurity incident.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To require entities to meet minimum cybersecurity standards to be eligible for Medicare accelerated and advance payment programs if the reason for the need for such payments is due to a cybersecurity incident.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Care Cyberse-  
5 curity Improvement Act of 2024”.

1 **SEC. 2. MODIFICATION OF THE MEDICARE HOSPITAL AC-**  
2 **CELERATED PAYMENT PROGRAM.**

3 Section 1815(e)(3) of the Social Security Act (42  
4 U.S.C. 1395g(e)(3)) is amended—

5 (1) by inserting “(A)” after “(3)”;

6 (2) by inserting “subparagraph (B) and” after  
7 “Subject to”; and

8 (3) by adding at the end the following new sub-  
9 paragraph:

10 “(B) Beginning on the date that is 2 years  
11 after the date of enactment of the Health Care Cy-  
12 bersecurity Improvement Act of 2024, if the Sec-  
13 retary determines that a cybersecurity incident led  
14 to the disruptions of the operations of such hos-  
15 pital’s intermediary or the unusual circumstances to  
16 such hospital’s operation that resulted in such sig-  
17 nificant cash flow problems, accelerated payments  
18 shall not be made to such hospital under subpara-  
19 graph (A) unless—

20 “(i) such hospital meets minimum cyberse-  
21 curity standards, as determined by the Sec-  
22 retary; and

23 “(ii) in the case of operations of such hos-  
24 pital’s intermediary, such intermediary meets  
25 minimum cybersecurity standards, as deter-  
26 mined by the Secretary.”.

1 **SEC. 3. MODIFICATION OF THE MEDICARE PART B AD-**  
2 **VANCE PAYMENT PROGRAM.**

3 Beginning on the date that is 2 years after the date  
4 of enactment of this Act, in the event of a cybersecurity  
5 incident, as determined by the Secretary of Health and  
6 Human Services, leading to the making of payments pur-  
7 suant to the program described in section 421.214 of title  
8 42, Code of Federal Regulations (or any successor regula-  
9 tion), such payments shall not be made to a provider of  
10 services or supplier unless—

11 (1) such provider of services or supplier meets  
12 minimum cybersecurity standards, as determined by  
13 the Secretary; and

14 (2) in the case of such provider's or supplier's  
15 intermediary being the target of such incident, such  
16 intermediary meets minimum cybersecurity stand-  
17 ards, as determined by the Secretary.