

Union Calendar No. 454

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 1791**

[Report No. 104-826]

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## **A BILL**

To amend title XIX of the Social Security Act to make certain technical corrections relating to physicians' services.

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SEPTEMBER 24, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1995

Mr. BARTON of Texas (for himself, Mr. COLEMAN, Mr. GREENWOOD, Mr. ACKERMAN, Ms. PRYCE, Mr. DINGELL, Mr. LEACH, Mr. LEVIN, Mr. EMERSON, Mr. SKELTON, Mr. UPTON, Mr. JACOBS, Mr. KIM, Mr. RAHALL, Mr. KILDEE, Mr. DEUTSCH, Mr. SMITH of New Jersey, Mr. BRYANT of Texas, Mr. STUPAK, Mr. BARCIA, Mr. FROST, and Mr. BROWN of Ohio) introduced the following bill; which was referred to the Committee on Commerce

SEPTEMBER 24, 1996

Additional sponsors: Ms. RIVERS, Mrs. THURMAN, Mrs. JOHNSON of Connecticut, Mr. PASTOR, Mr. GENE GREEN of Texas, Mr. BURR, Mr. EHLERS, Mr. CARDIN, Mr. KOLBE, Mr. HOEKSTRA, Mr. ROBERTS, Mr. VOLKMER, Mr. CRAPO, Mr. PETE GEREN of Texas, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. TRAFICANT, Mr. CANADY of Florida, Mrs. MEEK of Florida, Mr. NEY, Mrs. LINCOLN, Mr. ANDREWS, Mr. HALL of Texas, Mr. HOKE, Mr. GANSKE, Ms. KAPTUR, Mr. BONIOR, Mr. HANCOCK, Mr. FOX of Pennsylvania, Ms. DANNER, Mr. HUTCHINSON, Mr. REED, Mr. WELDON of Florida, Mr. BUNNING of Kentucky, Mr. BARRETT of Wisconsin, Mr. OLVER, Mr. MCCOLLUM, and Mr. NETHERCUTT

SEPTEMBER 24, 1996

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[Strike out all after the enacting clause and insert the part printed in italic]

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# A BILL

To amend title XIX of the Social Security Act to make certain technical corrections relating to physicians' services.

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 “Medicaid Certification  
 5        Act of 1995”.

6        **SEC. 2. TECHNICAL CORRECTIONS RELATING TO PHYSI-**  
 7        **CIANS' SERVICES.**

8        (a) IN GENERAL.—

9            (1) UNIQUE IDENTIFIERS.—Paragraph (59) of  
 10        section 1902(a) of the Social Security Act (42  
 11        U.S.C. 1396a(a)) is amended by striking “subsection  
 12        (v)” and inserting “subsection (x)”.

13            (2) EXPENDITURES FOR PHYSICIANS' SERV-  
 14        ICES.—Section 1903(i)(12) of the Social Security  
 15        Act (42 U.S.C. 1396b(i)(12)) is amended—

16            (A) by amending clause (i) of subpara-  
 17        graph (A) to read as follows:

18            “(i) is certified in family practice or  
 19            pediatrics by the medical specialty board  
 20            recognized by the American Board of Med-  
 21            ical Specialties for family practice or pedi-  
 22            atries or is certified in family practice or

1           pediatrics by the medical specialty board  
2           recognized by the American Osteopathic  
3           Association,”;

4           (B) by amending clause (i) of subpara-  
5           graph (B) to read as follows:

6                   “(i) is certified in family practice or  
7                   obstetrics by the medical specialty board  
8                   recognized by the American Board of Med-  
9                   ical Specialties for family practice or ob-  
10                  stetrics or is certified in family practice or  
11                  obstetrics by the medical specialty board  
12                  recognized by the American Osteopathic  
13                  Association,”; and

14          (C) in subparagraphs (A) and (B)—

15                  (i) by striking “or” at the end of  
16                  clause (v);

17                  (ii) by redesignating clause (vi) as  
18                  clause (vii); and

19                  (iii) by inserting after clause (v) the  
20                  following new clause:

21                   “(vi) delivers such services in the  
22                   emergency department of a hospital par-  
23                   ticipating in the State plan approved under  
24                   this title, or”.

1       (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) shall be effective as if included in the enact-  
3 ment of the Omnibus Budget Reconciliation Act of 1990.

4 **SECTION 1. TECHNICAL CORRECTIONS RELATING TO PHY-**  
5 **SICIANS' SERVICES.**

6       (a) **CORRECTING REFERENCE TO UNIQUE IDENTIFIER**  
7 **SYSTEM.**—

8           (1) **IN GENERAL.**—Section 1902(a) of the Social  
9 Security Act (42 U.S.C. 1396a(a)) is amended, in the  
10 paragraph redesignated as paragraph (59) by section  
11 13623(a)(6) of the Omnibus Budget Reconciliation  
12 Act of 1993 and inserted by section 4752(c)(1)(C) of  
13 the Omnibus Budget Reconciliation Act of 1990, by  
14 striking “subsection (v)” and inserting “subsection  
15 (x)”.

16           (2) **EFFECTIVE DATE.**—The amendment made by  
17 paragraph (1) shall be effective as if included in the  
18 enactment of the amendments made by section  
19 4752(c)(1) of the Omnibus Budget Reconciliation Act  
20 of 1990.

21       (b) **CORRECTION IN MINIMUM QUALIFICATIONS FOR**  
22 **BILLING FOR PHYSICIANS' SERVICES TO CHILDREN AND**  
23 **PREGNANT WOMEN.**—

24           (1) **IN GENERAL.**—Section 1903(i) of the Social  
25 Security Act (42 U.S.C. 1396b(i)) is amended, in the

1       *paragraph redesignated as paragraph (12) by section*  
2       *13631(c)(3) of the Omnibus Budget Reconciliation*  
3       *Act of 1993 and inserted by section 4752(a)(2)(B) of*  
4       *the Omnibus Budget Reconciliation Act of 1990—*

5               *(A) in subparagraph (A)(i), by inserting*  
6               *“or is certified in family practice or pediatrics*  
7               *by the medical specialty board recognized by the*  
8               *American Osteopathic Association” before the*  
9               *comma at the end;*

10              *(B) in subparagraph (B)(i), by inserting*  
11              *“or is certified in family practice or obstetrics by*  
12              *the medical specialty board recognized by the*  
13              *American Osteopathic Association” before the*  
14              *comma at the end; and*

15              *(C) in each of subparagraphs (A) and*  
16              *(B)—*

17                      *(i) by striking “or” at the end of clause*  
18                      *(v),*

19                      *(ii) in clause (vi), by inserting “(or*  
20                      *certified by the State in accordance with*  
21                      *policies of the Secretary)” after “Secretary”,*

22                      *(iii) by redesignating clause (vi) as*  
23                      *clause (vii), and*

24                      *(iv) by inserting after clause (v) the*  
25                      *following new clause:*

1                   “(vi) delivers such services in the emer-  
2                   gency department of a hospital participat-  
3                   ing in the State plan approved under this  
4                   title, or”.

5                   (2) *EFFECTIVE DATE.*—*The amendments made*  
6                   *by paragraph (1) shall apply to physicians’ services*  
7                   *furnished on or after January 1, 1992.*