To amend title XVIII of the Social Security Act to ensure the adequacy of Medicare payment for digital mammography.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2000

Mr. SHAW introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to ensure the adequacy of Medicare payment for digital mammography.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Breast Imaging Goes High Tech in the Future for Women Act” (BRIGHT Future for Women Act).

SEC. 2. MEDICARE ACCESS TO DIGITAL MAMMOGRAPHY.

(a) PAYMENT RATE.—
(1) IN GENERAL.—The fee schedule amount otherwise applicable to digital mammography (including a physician’s interpretation of the results of such procedure) under part B of title XVIII of the Social Security Act shall be—

(A) for digital mammography performed in 2001, $130; or

(B) for digital mammography performed in a subsequent year, subject to subsection (d), the amount established under this subsection for the preceding year adjusted by the percentage increase in the MEI (as defined in section 1842(i)(3) of such Act (42 U.S.C. 1395u(i)(3)).

(2) GEOGRAPHIC ADJUSTMENT.—The amount specified in paragraph (1) shall be subject to geographic adjustment in the same manner as fee schedule amounts are adjusted under section 1834(b) or 1848 of such Act (42 U.S.C. 1395m(b), 1395w–4).

(3) ALLOCATION.—The Secretary of Health and Human Services shall provide for an appropriate allocation between the professional and technical components of the rate under paragraph (1), where there is a claim for professional services sepa-
rate from the claim for the digital radiologic procedure.

(b) Annual Adjustment.—

(1) In general.—The Secretary may adjust the payment rate under subsection (a), including both the professional and technical components of such rate, on an annual basis for services provided after 2001, to take into account such additional factors as the Secretary determines to be appropriate, including—

(A) advances in technology;

(B) changes in productivity resulting from use of digital mammography; and

(C) physician training required to interpret the results of digital mammograms.

(2) Reports.—Not later than June 1, 2001, the Secretary shall submit—

(A) a report to the Congress regarding the adjustments under paragraph (1) to the professional component of the payment rate; and

(B) a report to the Congress regarding the adjustments under paragraph (1) to the technical component of the payment rate.

(c) Exemption From Limit on Payment.—The limit imposed under sections 1834(c)(1)(C)(iii) and
1834(c)(3) of such Act (42 U.S.C. 1395m(e)(1)(C)(iii), 1395m(e)(3)) shall not apply to payment for digital mammography.