

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

# H. R. 5704

To amend title XVIII of the Social Security Act to provide for a budget-neutral two-year moratorium on certain Medicare physician payment reductions for imaging services.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2006

Mr. PITTS (for himself, Mr. FERGUSON, Mr. ENGLISH of Pennsylvania, Mr. BASS, Mr. GILLMOR, Mr. HALL, Mr. NORWOOD, Mr. PICKERING, Mr. SHIMKUS, Mrs. CAPPS, Ms. ESHOO, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. INSLEE, Mr. PALLONE, Mr. ROSS, Mr. TOWNS, Mr. WYNN, Mrs. MCCARTHY, Mr. BRADY of Pennsylvania, Mrs. JO ANN DAVIS of Virginia, Mr. McNULTY, Mr. MILLER of Florida, Mr. DENT, Mr. FITZPATRICK of Pennsylvania, Mr. SAM JOHNSON of Texas, Mr. LATOURETTE, Mr. LOBIONDO, Mr. PETERSON of Pennsylvania, Mr. PRICE of Georgia, Mr. RAMSTAD, Mr. SCHWARZ of Michigan, Mr. SAXTON, Mr. SESSIONS, Mr. SOUDER, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. BOYD, Mr. CARDIN, Mr. CROWLEY, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, and Mr. JEFFERSON) introduced the following bill; which was referred to the Committee on Energy and 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

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## A BILL

To amend title XVIII of the Social Security Act to provide for a budget-neutral two-year moratorium on certain Medicare physician payment reductions for imaging 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 “Access to Medicare  
5 Imaging Act of 2006”.

6 **SEC. 2. BUDGET-NEUTRAL TWO-YEAR MORATORIUM ON**  
7 **CERTAIN MEDICARE PHYSICIAN PAYMENT**  
8 **REDUCTIONS FOR IMAGING SERVICES.**

9 (a) MORATORIUM.—Subsections (b)(4)(A) and  
10 (c)(2)(B)(v)(II) of section 1848 of the Social Security Act  
11 (42 U.S.C. 1395w–4), as added by section 5102 of the  
12 Deficit Reduction Act of 2005, are each amended by strik-  
13 ing “2007” and inserting “2009”.

14 (b) BUDGET NEUTRALITY.—

15 (1) IN GENERAL.—Notwithstanding any other  
16 provision of law (including subclause (II) of section  
17 1848(e)(2)(B)(ii) of the Social Security Act (42  
18 U.S.C. 1395w–4(e)(2)(B)(ii)), for 2007 and for  
19 2008 the Secretary of Health and Human Services  
20 shall reduce the payment amounts otherwise pro-  
21 vided under this part and part A (and not under  
22 parts C and D) in a manner so as to provide for a  
23 reduction in aggregate expenditures under this part  
24 and part A for each such year of an amount equiva-  
25 lent to the increase in expenditures under such sec-

1       tion for such year that the Secretary estimates will  
2       result from the application of the amendments made  
3       by subsection (a).

4           (2) NO EFFECT ON SUBSEQUENT PERIODS.—  
5       The reduction in payment effected under paragraph  
6       (1) for a year shall not apply to (or be taken into  
7       account in) the computation of payment amounts for  
8       a subsequent year.

9       (c) GAO STUDY ON PATIENT ACCESS TO IMAGING  
10      SERVICES.—

11           (1) IN GENERAL.—The Comptroller General of  
12      the United States shall conduct a comprehensive  
13      study on patient access and service issues relating to  
14      the availability and quality of imaging services in  
15      physician offices and freestanding clinics that would  
16      have resulted (but for subsection (a)) from payment  
17      changes made by the amendments made by section  
18      5102(b) of the Deficit Reduction Act of 2005.

19           (2) DETAILS.—Such study also shall examine—

20           (A) reductions in review application to  
21      multiple procedure reductions multiple proce-  
22      dures and additional reductions associated with  
23      changes in physician practice expense, with par-  
24      ticular attention to rural and medically under-  
25      served areas; and

1           (B) the appropriateness of using the hos-  
2           pital outpatient department prospective pay-  
3           ment system methodology to set reimbursement  
4           under the medicare program for all imaging  
5           services, regardless of site of service.

6           (3) REPORT.—Not later than July 31, 2008,  
7           the Comptroller General shall submit to Congress  
8           and the Secretary of Health and Human Services a  
9           report on the study under this subsection and shall  
10          include in the report such recommendations regard-  
11          ing extending the moratorium imposed under the  
12          amendments made by subsection (a) or such other  
13          changes in medicare reimbursement for imaging  
14          services as the Comptroller General deems appro-  
15          priate.

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