

In the Senate of the United States,

November 18, 2010.

Resolved, That the bill from the House of Representatives (H.R. 5712) entitled “An Act to provide for certain clarifications and extensions under Medicare, Medicaid, and the Children’s Health Insurance Program.”, do pass with the following

AMENDMENTS:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “The Physician Payment*
3 *and Therapy Relief Act of 2010”.*

4 ***SEC. 2. PHYSICIAN PAYMENT UPDATE.***

5 *Section 1848(d)(11) of the Social Security Act (42*
6 *U.S.C. 1395w-4(d)(11)) is amended—*

7 *(1) in the heading, by striking “NOVEMBER” and*
8 *inserting “DECEMBER”;*

1 (2) *in subparagraph (A), by striking “November*
 2 *30” and inserting “December 31”; and*

3 (3) *in subparagraph (B)—*

4 (A) *in the heading, by striking “REMAINING*
 5 *PORTION OF 2010” and inserting “2011”; and*

6 (B) *by striking “the period beginning on*
 7 *December 1, 2010, and ending on December 31,*
 8 *2010, and for”.*

9 **SEC. 3. TREATMENT OF MULTIPLE SERVICE PAYMENT POLI-**
 10 **CIES FOR THERAPY SERVICES.**

11 (a) *SMALLER PAYMENT DISCOUNT FOR CERTAIN MUL-*
 12 *TIPLE THERAPY SERVICES.—Section 1848(b) of the Social*
 13 *Security Act (42 U.S.C. 1395w–4(b)) is amended by adding*
 14 *at the end the following new paragraph:*

15 “(7) *ADJUSTMENT IN DISCOUNT FOR CERTAIN*
 16 *MULTIPLE THERAPY SERVICES.—In the case of ther-*
 17 *apy services furnished on or after January 1, 2011,*
 18 *and for which payment is made under fee schedules*
 19 *established under this section, instead of the 25 per-*
 20 *cent multiple procedure payment reduction specified*
 21 *in the final rule published by the Secretary in the*
 22 *Federal Register on November 29, 2010, the reduction*
 23 *percentage shall be 20 percent.”.*

24 (b) *EXEMPTION OF PAYMENT REDUCTION FROM*
 25 *BUDGET-NEUTRALITY.—Section 1848(c)(2)(B)(v) of the So-*

1 *cial Security Act (42 U.S.C. 1395w-4(c)(2)(B)(v)) is*
 2 *amended by adding at the end the following new subclause:*

3 “(VII) *REDUCED EXPENDITURES*
 4 *FOR MULTIPLE THERAPY SERVICES.—*
 5 *Effective for fee schedules established*
 6 *beginning with 2011, reduced expendi-*
 7 *tures attributable to the multiple pro-*
 8 *cedure payment reduction for therapy*
 9 *services (as described in subsection*
 10 *(b)(7)).”.*

11 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

12 *The budgetary effects of this Act, for the purpose of*
 13 *complying with the Statutory Pay-As-You-Go Act of 2010,*
 14 *shall be determined by reference to the latest statement titled*
 15 *“Budgetary Effects of PAYGO Legislation” for this Act,*
 16 *submitted for printing in the Congressional Record by the*
 17 *Chairman of the Senate Budget Committee, provided that*
 18 *such statement has been submitted prior to the vote on pas-*
 19 *sage.*

Amend the title so as to read: “An Act Entitled The
 Physician Payment and Therapy Relief Act of 2010.”.

Attest:

Secretary.

11TH CONGRESS
2^D SESSION

H.R. 5712

AMENDMENTS