

118TH CONGRESS
2D SESSION

H. R. 7618

To amend title XVIII of the Social Security Act to include physical therapists and occupational therapists as health professionals for purposes of the annual wellness visit under the Medicare program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2024

Mrs. MILLER of West Virginia (for herself and Ms. STANSBURY) 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

A BILL

To amend title XVIII of the Social Security Act to include physical therapists and occupational therapists as health professionals for purposes of the annual wellness visit under the Medicare program, and for other purposes.

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 “Stopping Addiction
5 and Falls for the Elderly Act” or the “SAFE Act”.

1 **SEC. 2. PHYSICAL THERAPY AND OCCUPATIONAL THERAPY**
2 **BENEFIT IN THE MEDICARE ANNUAL**
3 **WELLNESS VISIT AND INITIAL PREVENTIVE**
4 **PHYSICAL EXAM.**

5 (a) ANNUAL WELLNESS VISIT.—

6 (1) IN GENERAL.—Section 1861(hhh) of the
7 Social Security Act (42 U.S.C. 1395x(hhh)) is
8 amended—

9 (A) in paragraph (1)—

10 (i) in subparagraph (A), by striking “;
11 and” and inserting a semicolon;

12 (ii) in subparagraph (B)(ii), by strik-
13 ing the period at the end and inserting “;
14 and”; and

15 (iii) by adding at the end the fol-
16 lowing new subparagraph:

17 “(C) that, in the case of an individual who
18 has been determined by a physician to have fall-
19 en in the previous calendar year, includes a falls
20 risk assessment and fall prevention services.”;
21 and

22 (B) in paragraph (3)—

23 (i) in subparagraph (B), by striking
24 “or” at the end;

1 (ii) in subparagraph (C), by striking
2 the period at the end and inserting “; or”;
3 and

4 (iii) by adding at the end the fol-
5 lowing new subparagraph:

6 “(D) in the case of an individual described
7 in paragraph (1)(C), a physical therapist or an
8 occupational therapist furnishing a separate
9 falls risk assessment and fall prevention serv-
10 ices.”.

11 (2) EFFECTIVE DATE.—The amendment made
12 by paragraph (1) shall apply to annual wellness vis-
13 its furnished on or after January 1, 2025.

14 (b) INITIAL PREVENTIVE PHYSICAL EXAMINA-
15 TION.—

16 (1) IN GENERAL.—Section 1861(ww)(2) of the
17 Social Security Act (42 U.S.C. 1395x(ww)(2)) is
18 amended—

19 (A) in subparagraph (N), by moving the
20 margins of such subparagraph 2 ems to the
21 left;

22 (B) by redesignating subparagraph (O) as
23 subparagraph (P); and

24 (C) by inserting after subparagraph (N)
25 the following new subparagraph:

1 “(O) In the case of an individual that has
2 been determined by a physician to have experi-
3 enced a fall in the previous calendar year, out-
4 patient occupational therapy services (as de-
5 fined in subsection (g)) and outpatient physical
6 therapy services (as defined in subsection
7 (p)).”.

8 (2) EFFECTIVE DATE.—The amendment made
9 by paragraph (1) shall apply to initial preventive
10 physical examinations furnished on or after January
11 1, 2025.

12 **SEC. 3. REPORTS TO CONGRESS.**

13 Beginning January 1, 2026, and annually thereafter,
14 the Secretary of Health and Human Services shall submit
15 to Congress a report on the number of falls (as reported
16 by the Centers for Disease Control) experienced by indi-
17 viduals aged 65 and older that received treatment for pain
18 or injury related to a fall or falls experienced in the pre-
19 vious calendar year. With respect to each subsequent re-
20 port, such Secretary shall include the data reported in pre-
21 vious years and describe any changes from year to year.

○