

118TH CONGRESS
1ST SESSION

S. 799

To amend title XVIII of the Social Security Act to provide Medicare coverage for all physicians' services furnished by doctors of chiropractic within the scope of their license, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2023

Mr. BLUMENTHAL (for himself, Mr. CRAMER, Ms. BALDWIN, Mr. WICKER, Mr. TESTER, Mr. HOEVEN, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to provide Medicare coverage for all physicians' services furnished by doctors of chiropractic within the scope of their license, 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 “Chiropractic Medicare
5 Coverage Modernization Act of 2023”.

6 **SEC. 2. FINDINGS; STATEMENT OF PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) In 1972, coverage was established under the
2 Medicare program for beneficiaries to receive chiro-
3 practic care.

4 (2) Unfortunately, the antiquated statute re-
5 stricts beneficiaries to one service in a chiropractic
6 clinic and Medicare chiropractic coverage has not
7 kept up with private sector coverage and other fed-
8 eral health delivery systems.

9 (3) Today, due to positive evidence-based out-
10 comes and cost effectiveness of the services provided
11 by doctors of chiropractic, private coverage for chiro-
12 practic services has evolved and State licensure for
13 chiropractors has advanced to meet patient needs
14 and health outcomes.

15 (4) This Act would bring Medicare chiropractic
16 coverage more in line with that provided with the
17 Department of Veterans Affairs, Department of De-
18 fense, the Federal Employee Health Benefits Pro-
19 gram, and private health insurance coverage.

20 (b) PURPOSE.—It is the purpose of this Act to ex-
21 pand recognition and coverage of a doctor of chiropractic
22 as a “physician” under the Medicare program in connec-
23 tion with the performance of any function or action, in-
24 cluding current service of “manual manipulation of the
25 spine to correct a subluxation”, as is legally authorized

1 by the State in which such doctor performs such function
 2 or action.

3 **SEC. 3. PROVIDING MEDICARE COVERAGE FOR ALL PHYSI-**
 4 **CIANS' SERVICES FURNISHED BY DOCTORS**
 5 **OF CHIROPRACTIC WITHIN THE SCOPE OF**
 6 **THEIR LICENSE.**

7 (a) IN GENERAL.—Section 1861(r)(5) of the Social
 8 Security Act (42 U.S.C. 1395x(r)(5)) is amended by strik-
 9 ing “a chiropractor who is licensed as such by the State
 10 (or in a State which does not license chiropractors as such,
 11 is legally authorized to perform the services of a chiro-
 12 practor in the jurisdiction in which he performs such serv-
 13 ices), and who meets uniform minimum standards promul-
 14 gated by the Secretary, but only for the purpose of sec-
 15 tions 1861(s)(1) and 1861(s)(2)(A) and only with respect
 16 to treatment by means of manual manipulation of the
 17 spine (to correct a subluxation) which he is legally author-
 18 ized to perform by the State or jurisdiction in which such
 19 treatment is provided” and inserting “a doctor of chiro-
 20 practic who is licensed as a doctor of chiropractic or a
 21 chiropractor by the State in which the function or action
 22 is performed and whose license provides legal authoriza-
 23 tion to perform such function or action in such State or
 24 in the jurisdiction in which the function or action is per-
 25 formed”.

1 (b) CERTAIN COVERAGE LIMITS.—Section 1833 of
 2 the Social Security Act (42 U.S.C. 1395l) is amended by
 3 adding at the end the following new subsection:

4 “(ee) LIMITATION ON PAYMENT OF SERVICES PRO-
 5 VIDED BY CERTAIN DOCTORS OF CHIROPRACTIC.—Not-
 6 withstanding any other provision of this part, in the case
 7 of services of a doctor of chiropractic described in section
 8 1861(r)(5), payment may only be made under this part
 9 for such services if—

10 “(1) such services are furnished by a doctor of
 11 chiropractic who is verified once, by a process de-
 12 signed by the Secretary, as attending an educational
 13 documentation webinar, or other similar electronic
 14 product, designed by the Secretary or an updated
 15 modified version of such webinar, as designed by the
 16 Secretary; or

17 “(2) such services are treatment by means of
 18 manual manipulation of the spine to correct a sub-
 19 luxation.”.

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