

105TH CONGRESS
2D SESSION

H. R. 3255

To amend title XVIII of the Social Security Act to require universal product numbers on claims forms submitted for reimbursement of durable medical equipment and other items under the Medicare Program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1998

Ms. SLAUGHTER (for herself and Mr. HOUGHTON) 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 require universal product numbers on claims forms submitted for reimbursement of durable medical equipment and other items under the Medicare Program.

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 “Medicare Universal
5 Product Number Act of 1998”.

1 **SEC. 2. UNIVERSAL PRODUCT NUMBERS FOR CERTAIN**
2 **ITEMS OF DURABLE MEDICAL EQUIPMENT**
3 **ON CLAIMS FORMS FOR REIMBURSEMENT**
4 **UNDER THE MEDICARE PROGRAM.**

5 (a) IN GENERAL.—Section 1842 of the Social Secu-
6 rity Act (42 U.S.C. 1395u), as amended by sections
7 4315(a) and 4432(b)(4) of the Balanced Budget Act of
8 1997, is amended by adding at the end the following new
9 subsection:

10 “(u)(1) Each request for payment, or bill submitted,
11 on or after February 1, 2001, for a covered item (as de-
12 fined in paragraph (3)) for which payment may be made
13 under this part shall include a universal product number
14 under the system established by the Secretary under para-
15 graph (4) for such covered item.

16 “(2) No payment may be made under this part on
17 or after February 1, 2001, for a covered item if the re-
18 quest for payment or bill submitted does not include the
19 universal product number of the covered item.

20 “(3)(A) Except as provided in subparagraph (B), for
21 purposes of this subsection, the term ‘covered item’ means
22 the following items:

23 “(i) A covered item (as defined in section
24 1834(a)(13)).

25 “(ii) An item described in paragraph (8) or (9)
26 of section 1861(s).

1 “(iii) An item described in paragraph (5) of
2 section 1861(s).

3 “(iv) Such other items as the Secretary deter-
4 mines appropriate.

5 “(B) Such term does not include a customized item
6 for which payment may be made under this title.

7 “(4) The Secretary, in consultation with appropriate
8 experts, shall establish a system under which a covered
9 item under this subsection is assigned a universal product
10 number that permits the Secretary to—

11 “(A) identify the covered item;

12 “(B) develop appropriate data to adjust rates of
13 reimbursement for the covered item as appropriate;
14 and

15 “(C) review the covered items billed under the
16 coding system established under this title and adjust
17 such coding system to ensure that functionally
18 equivalent covered items are billed and reimbursed
19 under the same codes.”.

20 (b) ACCOMMODATION OF UPNS ON CLAIMS
21 FORMS.—Not later than February 1, 2000, any claims
22 form developed or used by the Secretary of Health and
23 Human Services for reimbursement for a covered item (as
24 that term is defined in section 1842(u)(3) of the Social
25 Security Act (42 U.S.C. 1395u(u)(3)), as added by sub-

1 section (a)) furnished under the medicare program under
2 title XVIII of such Act (42 U.S.C. 1395 et seq.), shall
3 accommodate the use of universal product numbers.

4 (c) REPORT.—Not later than December 31, 2001,
5 and annually thereafter through 2003, the Secretary of
6 Health and Human Services shall submit to Congress a
7 report that describes—

8 (1) the additional information made available to
9 the Secretary from the use of universal product
10 numbers on covered items furnished under part B of
11 the medicare program, as that term is defined in
12 section 1842(u)(3) of the Social Security Act (42
13 U.S.C. 1395u(u)(3)), as added by subsection (a);

14 (2) any change by the Secretary in reimburse-
15 ment rates for the items by reason of the informa-
16 tion; and

17 (3) the Secretary's recommendations for addi-
18 tional items appropriate for the use of universal
19 product numbers.

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