

106TH CONGRESS  
1ST SESSION

# H. R. 1544

To require the Secretary of Health and Human Services to establish a demonstration project to provide Medicare beneficiaries greater information with respect to various courses of treatment for certain diseases or injuries to enable the beneficiaries to make more informed decisions when selecting a course of treatment for the disease or injury.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1999

Mr. STARK introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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 require the Secretary of Health and Human Services to establish a demonstration project to provide Medicare beneficiaries greater information with respect to various courses of treatment for certain diseases or injuries to enable the beneficiaries to make more informed decisions when selecting a course of treatment for the disease or injury.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION. 1. DEMONSTRATION PROJECTS TO INCREASE**  
2 **QUALITY OF INFORMATION PROVIDED TO**  
3 **MEDICARE BENEFICIARIES WITH RESPECT**  
4 **TO TREATMENT OPTIONS.**

5 (a) ESTABLISHMENT OF PROJECT.—

6 (1) IN GENERAL.—Not later than January 1,  
7 2001, the Secretary of Health and Human Services  
8 shall establish demonstration projects (in this sec-  
9 tion referred to as the “projects”) under which the  
10 Secretary shall furnish to providers of services and  
11 physicians participating in the Medicare Program  
12 under title XVIII of the Social Security Act informa-  
13 tional videotapes (as described in subsection (b)) to  
14 present to a Medicare beneficiary diagnosed with a  
15 particular disease or injury (as identified by the Sec-  
16 retary pursuant to subsection (c)) before the bene-  
17 ficiary elects a course of treatment for that disease  
18 or injury. The Secretary shall furnish such informa-  
19 tional videotapes at no cost to such providers and  
20 physicians.

21 (2) PROJECT AREAS.—The projects shall be  
22 conducted in five separate counties of which 3 shall  
23 be in urban areas and 2 shall be in rural areas.

24 (b) INFORMATIONAL VIDEOTAPE DESCRIBED.—

25 (1) IN GENERAL.—The Institute of Medicine, in  
26 consultation with the National Institutes of Health

1 and other medical experts (as determined by the  
2 Secretary), shall develop a videotape presentation to  
3 provide a Medicare beneficiary diagnosed as having  
4 the disease or injury identified under subsection (c)  
5 with the following information:

6 (A) A description of the disease or injury.

7 (B) The possible courses of treatment for  
8 the disease or injury.

9 (C) The likely consequences of each such  
10 course of treatment or of the decision not to  
11 pursue any course of treatment.

12 (2) CONCLUDING STATEMENT.—Any such vid-  
13 eotape presentation shall conclude with a statement  
14 that the Medicare beneficiary may elect any course  
15 of treatment or not to pursue any course of treat-  
16 ment, that the Medicare beneficiary should consult  
17 with a physician, and that the Medicare beneficiary  
18 may seek a referral to a physician who furnishes  
19 services consisting of the course of treatment that  
20 the beneficiary elects.

21 (3) UPDATING OF VIDEOTAPE.—Any such vid-  
22 eotape presentation shall be updated to reflect new  
23 findings based on the best scientific evidence avail-  
24 able, as determined by the Institute of Medicine, in  
25 consultation with the National Institutes of Health

1 and such other medical experts, about the disease or  
2 injury, and various courses of treatment.

3 (c) SELECTION OF DISEASE OR INJURY.—

4 (1) IN GENERAL.—For purposes of selecting a  
5 particular disease or injury for which a informa-  
6 tional videotape shall be provided under the projects,  
7 the Secretary shall identify diseases or injuries for  
8 which there is a wide variation in treatment of that  
9 disease throughout the United States.

10 (2) MANDATORY DESIGNATION OF PROSTATE  
11 ENLARGEMENT FOR ONE PROJECT.—The disease or  
12 injury for which a informational videotape is pro-  
13 vided in one of the projects conducted under this  
14 section shall be benign and malignant prostate en-  
15 largement.

16 (d) PAYMENT.—(1) The Secretary shall establish a  
17 payment amount to be made to a provider of services or  
18 a physician under title XVIII of the Social Security Act  
19 to reflect services consisting of the presentation of a infor-  
20 mational videotape to and consultation with a Medicare  
21 beneficiary after such presentation.

22 (2) For purposes of the payment amount under para-  
23 graph (1), no payment may be made for the purchase or  
24 rental of equipment or office space for purposes of making  
25 such presentation.

1       (e) WAIVER AUTHORITY.—The Secretary may waive  
2 such requirements of title XVIII of such Act as may be  
3 necessary for the purposes of carrying out the project.

4       (f) REPORTS.—Not later than June 1, 2004, the Sec-  
5 retary shall submit to Congress a report on the following  
6 matters:

7           (1) A description of courses of treatment for  
8 the diseases or illnesses identified under subsection  
9 (c) selected by Medicare beneficiaries during the  
10 three year period ending on December 31, 2003.

11          (2) A comparison between courses of treatment  
12 described in paragraph (1) and courses of treatment  
13 selected by the Medicare beneficiaries participating  
14 in the project.

15          (3) An analysis of the effect on costs to the  
16 Medicare program due to any change in selection of  
17 courses of treatment.

18       (g) DURATION.—A demonstration project under this  
19 section shall be conducted for a 3-year period.

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