

106TH CONGRESS
1ST SESSION

H. R. 3271

To amend title XVIII of the Social Security Act to expand the Medicare Payment Advisory Commission to 19 members and to include on such commission individuals with national recognition for their expertise in manufacturing and distributing finished medical goods.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 1999

Mr. DUNCAN 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

A BILL

To amend title XVIII of the Social Security Act to expand the Medicare Payment Advisory Commission to 19 members and to include on such commission individuals with national recognition for their expertise in manufacturing and distributing finished medical goods.

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. FINDINGS.**

4 Congress finds the following:

5 (1) The amendments to the Social Security Act
6 contained in section 4022 of the Balanced Budget

1 Act of 1997 (Public Law 105–33) established the
2 Medicare Payment Advisory Commission to replace
3 the Physician Payment Review Commission and the
4 Prospective Payment Assessment Commission.

5 (2) The Medicare Payment Advisory Commis-
6 sion is required to submit an annual report to Con-
7 gress containing an examination of issues and policy
8 recommendations that affect the Medicare Program
9 under title XVIII of the Social Security Act (42
10 U.S.C. 1395 et seq.).

11 (3) The Medicare Program has struggled to
12 keep up with the latest technologies and medical
13 supply products, even if such technologies and prod-
14 ucts prove to be cost-effective.

15 (4) The ability to keep up with such tech-
16 nologies and products requires—

17 (A) analysis of both the cost and quality of
18 various products; and

19 (B) constant review of medical develop-
20 ments.

21 (5) The Medicare Payment Advisory Commis-
22 sion has broad authority and includes the ability to
23 review and make recommendations on procurement
24 reimbursement and reform issues, including the ef-
25 fect, impact, and cost implications of competitive

1 bidding, flexible purchasing, and inherent reason-
 2 ableness on the provision of a full range of effective
 3 medical products and services to Medicare bene-
 4 ficiaries. However, as of the date of enactment of
 5 this Act, the membership of the commission has not
 6 included individuals with expertise in manufacturing
 7 and distributing finished medical goods.

8 **SEC. 2. EXPANSION OF MEMBERSHIP OF MEDPAC TO 19.**

9 (a) IN GENERAL.—Section 1805(c) of the Social Se-
 10 curity Act (42 U.S.C. 1395b–6(c)), as amended by section
 11 5202 of the Tax and Trade Relief Extension Act of 1998
 12 (contained in division J of Public Law 105–277), is
 13 amended—

14 (1) in paragraph (1), by striking “17” and in-
 15 serting “19”; and

16 (2) in paragraph (2)(B), by inserting “individ-
 17 uals with national recognition for their expertise in
 18 manufacturing and distributing finished medical
 19 goods,” after “other health professionals,”.

20 (b) INITIAL TERMS OF ADDITIONAL MEMBERS.—

21 (1) IN GENERAL.—For purposes of staggering
 22 the initial terms of members of the Medicare Pay-
 23 ment Advisory Commission under section 1805(c)(3)
 24 of the Social Security Act (42 U.S.C. 1395b–
 25 6(c)(3)), the initial terms of the two additional mem-

1 bers of the Commission provided for by the amend-
2 ment under subsection (a)(1) are as follows:

3 (A) One member shall be appointed for one
4 year.

5 (B) One member shall be appointed for
6 two years.

7 (2) COMMENCEMENT OF TERMS.—Such terms
8 shall begin on March 1, 2000.

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