

106TH CONGRESS  
1ST SESSION

# H. R. 418

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1999

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

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## A BILL

To amend title XVIII of the Social Security Act to require universal product numbers on claims forms submitted for reimbursement for 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 1999”.

1 **SEC. 2. UNIVERSAL PRODUCT NUMBERS FOR CERTAIN**  
2 **ITEMS OF DURABLE MEDICAL EQUIPMENT**  
3 **ON CLAIM 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) is amended by adding at the  
7 end the following new subsection:

8 “(u)(1) Each request for payment, or bill submitted,  
9 on or after February 1, 2002, for a covered item (as de-  
10 fined in paragraph (3)) for which payment may be made  
11 under this part shall include a universal product number  
12 under the system established by the Secretary under para-  
13 graph (4) for such covered item.

14 “(2) No payment may be made under this part on  
15 or after February 1, 2002, for a covered item if the re-  
16 quest for payment or bill submitted does not include the  
17 universal product number of the covered item.

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

21 “(i) A covered item (as defined in section  
22 1834(a)(13)).

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

25 “(iii) An item described in paragraph (5) of  
26 section 1861(s).

1           “(iv) Such other items as the Secretary deter-  
2       mines appropriate.

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

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

9           “(A) identify the covered item;

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

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

18       (b) ACCOMMODATION OF UPNS ON CLAIMS  
19       FORMS.—Not later than February 1, 2001, any claims  
20       form developed or used by the Secretary of Health and  
21       Human Services for reimbursement for a covered item (as  
22       that term is defined in section 1842(u)(3) of the Social  
23       Security Act, as added by subsection (a)), furnished under  
24       the medicare program under title XVIII of such Act, shall  
25       accommodate the use of universal product numbers.

1       (c) REPORT.—Not later than December 31, 2002,  
2 and annually thereafter through 2004, the Secretary of  
3 Health and Human Services shall submit to Congress a  
4 report that describes—

5           (1) the additional information made available to  
6 the Secretary from the use of universal product  
7 numbers on covered items furnished under part B of  
8 the medicare program (as that term is defined in  
9 section 1842(u)(3) of the Social Security Act, as  
10 added by subsection (a));

11          (2) any change by the Secretary in reimburse-  
12 ment rates for the covered items by reason of such  
13 information; and

14          (3) the Secretary’s recommendations for addi-  
15 tional items reimbursed under the medicare program  
16 for which the use of universal product numbers is  
17 appropriate.

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