

107TH CONGRESS  
1ST SESSION

# H. R. 1568

To amend title XVIII of the Social Security Act to remove the restriction on coverage of periodic health examinations under the Medicare Program.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2001

Mr. McDERMOTT (for himself, Mrs. MINK of Hawaii, Mr. KLECZKA, Mr. GILCHREST, Mr. FROST, Mr. BROWN of Ohio, Mr. FRANK, Mr. MATSUI, Mr. BRADY of Pennsylvania, Mr. WEXLER, Ms. RIVERS, Mr. BONIOR, Mr. HINCHEY, Mr. MOAKLEY, Mr. EVANS, Mr. BOUCHER, Mr. SANDERS, Mr. CLAY, Ms. CARSON of Indiana, Mr. KUCINICH, Mr. RUSH, Mr. STARK, Mr. BALDACCI, Mr. SANDLIN, Mrs. THURMAN, Mr. LAFALCE, Mr. McGOVERN, Mr. STUPAK, Mr. KILDEE, Mr. LATOURETTE, Mr. GEORGE MILLER of California, Mr. HILLIARD, and Mr. MORAN of Virginia) introduced the following bill; which was referred to the Committee on Energy and 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 remove the restriction on coverage of periodic health examinations 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,*

1 **SECTION 1. REMOVAL OF MEDICARE RESTRICTION ON**  
2 **COVERAGE OF PERIODIC HEALTH EXAMINA-**  
3 **TIONS.**

4 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
5 curity Act (42 U.S.C. 395x(s)(2)), as amended by sections  
6 102(a) and 105(a) of the Medicare, Medicaid, and SCHIP  
7 Benefits Improvement and Protection Act of 2000, as en-  
8 acted into law by section 1(a)(6) of Public Law 106-554,  
9 is amended—

10 (1) in subparagraph (U), by striking “and” at  
11 the end;

12 (2) in subparagraph (V), by inserting “and” at  
13 the end; and

14 (3) by adding at the end the following new sub-  
15 paragraph:

16 “(W) periodic health examinations (as de-  
17 fined in subsection (vv));”.

18 (b) **SERVICES DESCRIBED.**—Section 1861 of such  
19 Act (42 U.S.C. 1395x), as amended by section 102(b) of  
20 the Medicare, Medicaid, and SCHIP Benefits Improve-  
21 ment and Protection Act of 2000, as enacted into law by  
22 section 1(a)(6) of Public Law 106-554, is amended by  
23 adding at the end the following new subsection:

24 “Periodic Health Examinations

25 “(vv) The term ‘periodic health examination’ means  
26 a comprehensive examination performed by a physician

1 conducted on a periodic basis, with the content and fre-  
2 quency determined by the physician, in accordance with  
3 regulations of the Secretary, with the goal of health pro-  
4 motion and disease detection. Such an examination  
5 includes—

6           “(1) a thorough history and physical examina-  
7           tion;  
8           “(2) a review of systems;  
9           “(3) monitoring of chronic conditions;  
10           “(4) counseling for risky behaviors;  
11           “(5) appropriate referrals (including to cancer  
12           screening interventions); and  
13           “(6) ancillary services.”.

14           (c) PAYMENT AS PHYSICIANS' SERVICES.—Section  
15 1848(j)(3) of such Act (42 U.S.C. 1395w-4(j)(3)) is  
16 amended by inserting “(2)(V),” after “(2)(S),”.

17           (d) OTHER CONFORMING AMENDMENTS.—Section  
18 1862(a) of such Act (42 U.S.C. 1395y(a)) is amended—

19           (1) in paragraph (1)—

20               (A) by striking “and” at the end of sub-  
21               paragraph (H),

22               (B) by adding “and” at the end of sub-  
23               paragraph (I), and

24               (C) by adding at the end the following new  
25               subparagraph:

1           “(J) in the case of periodic health examina-  
2       tions, which are performed more frequently than is  
3       covered under section 1861(vv);”; and

4           (2) in paragraph (7), by striking “or (H)” and  
5       inserting “(H), or (J)”.

6       (e) EFFECTIVE DATE.—The amendments made by  
7       this section shall apply to services furnished on or after  
8       January 1, 2002.

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