

107TH CONGRESS
1ST SESSION

S. 1607

To amend title XVIII of the Social Security Act to provide for coverage of remote monitoring services under the medicare program.

IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2001

Mr. ROCKEFELLER (for himself and Ms. SNOWE) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to provide for coverage of remote monitoring services 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 Remote Mon-
5 itoring Services Coverage Act of 2001”.

6 **SEC. 2. COVERAGE OF REMOTE MONITORING SERVICES.**

7 (a) IN GENERAL.—Section 1861(s)(2) of the Social
8 Security Act (42 U.S.C. 1395x(s)(2)) is amended—

9 (1) by striking “and” at the end of subpara-
10 graph (U);

1 (2) by inserting “and” at the end of subpara-
2 graph (V); and

3 (3) by inserting after subparagraph (V) the fol-
4 lowing new subparagraph:

5 “(W) remote monitoring services that are—

6 “(i) determined by the Secretary to provide
7 comparable data to face-to-face encounter-based
8 monitoring services (as such terms are defined
9 in subsection (ww)); and

10 “(ii) provided to an individual who would
11 otherwise be entitled to receive coverage under
12 this title of the face-to-face encounter-based
13 monitoring service that the Secretary deter-
14 mines under clause (i) to provide comparable
15 data to the remote monitoring service;”.

16 (b) SERVICES DESCRIBED.—Section 1861 of the So-
17 cial Security Act (42 U.S.C. 1395x) is amended by adding
18 at the end the following new subsection:

19 “REMOTE MONITORING SERVICES

20 “(ww)(1) The term ‘remote monitoring services’
21 means any service provided through a system of tech-
22 nology that allows the collection of clinical data and the
23 transmission of such data between a patient at a distant
24 location and a physician through a remote interface so
25 that the physician may conduct a clinical review of such
26 data or provide a response relating to such data.

1 “(2) The term ‘face-to-face encounter-based moni-
 2 toring services’ means any in-office or facility-based serv-
 3 ice for which payment may be made under this title with
 4 a code that is specific to the collection of clinical data and
 5 the transmission of such data between a patient and a
 6 physician so that the physician may conduct a clinical re-
 7 view of such data or provide a response relating to such
 8 data.

9 “(3) For purposes of this subsection—

10 “(A) the term ‘physician’ has the meaning
 11 given that term in subsection (r); and

12 “(B) the term ‘distant location’ means any loca-
 13 tion that is outside of the office or the facility of the
 14 patient’s physician.

15 “(4) Coverage of remote monitoring services under
 16 this title with respect to an individual may not be re-
 17 stricted based on the geographic area of residence of the
 18 individual.”.

19 (c) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—
 20 Section 1848 of the Social Security Act (42 U.S.C.
 21 1395w-4) is amended—

22 (1) in subsection (c), by adding at the end the
 23 following new paragraph:

24 “(7) TREATMENT OF REMOTE MONITORING
 25 SERVICES.—

“(A) CONVERSION FACTOR AND RELATIVE VALUE UNITS.—The Secretary may not decrease the conversion factor or the number of relative value units applicable to a remote monitoring service (as defined in section 1861(ww)(1)) covered under this title pursuant to section 1861(s)(2)(W) from the conversion factor or the number of relative value units applicable to the face-to-face encounter-based monitoring service (as defined in section 1861(ww)(2)) that the Secretary determines provides comparable data to such remote monitoring service.

“(B) FREQUENCY GUIDELINES.—A remote monitoring service (as so defined) covered under this title pursuant to section 1861(s)(2)(W) shall be subject to the same guidelines developed on the frequency of billing for the face-to-face encounter-based monitoring service (as so defined) that the Secretary determines provides comparable data to such remote monitoring service.”; and

(2) in subsection (j)(3), by inserting “(2)(W),” after “(2)(S),”.

1 (d) BUDGET NEUTRALITY.—The Secretary shall im-
2 plement the amendments made by this section in a budget-
3 neutral manner.

4 (e) CONSTRUCTION.—Nothing in this section shall be
5 construed to prohibit the request for, or the issuance by
6 the Secretary of Health and Human Services of, a sepa-
7 rate billing code for any remote monitoring service (as de-
8 fined in section 1861(w)(1) of the Social Security Act
9 (42 U.S.C. 1395x(w)(1)), as added by subsection (b))
10 through an authority of the Secretary of Health and
11 Human Services other than the authority provided by the
12 amendments made by this section.

13 (f) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to services furnished on or after
15 January 1, 2002.

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