

107TH CONGRESS  
1ST SESSION

# S. 960

To amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the medicare program for beneficiaries with cardiovascular diseases.

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IN THE SENATE OF THE UNITED STATES

MAY 24, 2001

Mr. BINGAMAN (for himself, Mr. CRAIG, Mr. COCHRAN, Ms. COLLINS, Mr. DASCHLE, Mr. DORGAN, Mr. ENSIGN, Mrs. MURRAY, Ms. STABENOW, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the medicare program for beneficiaries with cardiovascular diseases.

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 Medical Nu-  
5 trition Therapy Amendment Act of 2001”.

1   **SEC. 2. COVERAGE OF MEDICAL NUTRITION THERAPY**  
2                   **SERVICES FOR BENEFICIARIES WITH CAR-**  
3                   **DIOVASCULAR DISEASES.**

4       (a) IN GENERAL.—Section 1861(s)(2)(V) of the So-  
5   cial Security Act (42 U.S.C. 1395x(s)(2)(V)), as added by  
6   subsection (a) of section 105 of the Medicare, Medicaid,  
7   and SCHIP Benefits Improvement and Protection Act of  
8   2000 (114 Stat. 2763A–471), as enacted into law by sec-  
9   tion 1(a)(6) of Public Law 106–554, is amended to read  
10   as follows:

11               “(V) medical nutrition therapy services (as de-  
12   fined in subsection (vv)(1)) in the case of a  
13   beneficiary—

14               “(i) with a cardiovascular disease (includ-  
15   ing congestive heart failure, arteriosclerosis,  
16   hyperlipidemia, hypertension, and  
17   hypercholesterolemia), diabetes, or a renal dis-  
18   ease (or a combination of such conditions)  
19   who—

20               “(I) has not received diabetes out-  
21   patient self-management training services  
22   within a time period determined by the  
23   Secretary;

24               “(II) is not receiving maintenance di-  
25   alysis for which payment is made under  
26   section 1881; and

1                         “(III) meets such other criteria deter-  
2                         mined by the Secretary after consideration  
3                         of protocols established by dietitian or nu-  
4                         trition professional organizations; or  
5                         “(ii) with a combination of such conditions  
6                         who—

7                         “(I) is not described in clause (i) be-  
8                         cause of the application of subclause (I) or  
9                         (II) of such clause;

10                         “(II) receives such medical nutrition  
11                         therapy services in a coordinated manner  
12                         (as determined appropriate by the Sec-  
13                         retary) with any services described in such  
14                         subclauses that the beneficiary is receiving;  
15                         and

16                         “(III) meets such other criteria deter-  
17                         mined by the Secretary after consideration  
18                         of protocols established by dietitian or nu-  
19                         trition professional organizations;”.

20                         (b) EFFECTIVE DATE.—The amendment made by  
21                         subsection (a) shall take effect as if included in the enact-  
22                         ment of such section 105.

