

108TH CONGRESS  
1ST SESSION

# S. 632

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

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IN THE SENATE OF THE UNITED STATES

MARCH 17, 2003

Mr. CRAIG (for himself, Mr. BINGAMAN, Mr. WARNER, Ms. COLLINS, Mr. SARBANES, and Mr. ROCKEFELLER) 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 services under the medicare program for beneficiaries with cardiovascular disease.

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 2003”.

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)) is amended  
6   to read as follows:

7               “(V) medical nutrition therapy services (as de-  
8   fined in subsection (vv)(1)) in the case of a bene-  
9   ficiary—

10               “(i) with a cardiovascular disease (includ-  
11   ing congestive heart failure, arteriosclerosis,  
12   hyperlipidemia, hypertension, and hypercholes-  
13   terolemia), diabetes, or a renal disease (or a  
14   combination of such conditions) who—

15               “(I) has not received diabetes out-  
16   patient self-management training services  
17   within a time period determined by the  
18   Secretary;

19               “(II) is not receiving maintenance di-  
20   alysis for which payment is made under  
21   section 1881; and

22               “(III) meets such other criteria deter-  
23   mined by the Secretary after consideration  
24   of protocols established by dietitian or nu-  
25   trition professional organizations; or

1                         “(ii) with a combination of such conditions

2                         who—

3                             “(I) is not described in clause (i) be-  
4                             cause of the application of subclause (I) or  
5                             (II) of such clause;

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

12                            “(III) meets such other criteria deter-  
13                             mined by the Secretary after consideration  
14                             of protocols established by dietitian or nu-  
15                             trition professional organizations;

16                            for such number of hours as the Secretary may  
17                             specify, except that, in the case of a beneficiary with  
18                             a cardiovascular disease, such number may not ex-  
19                             ceed 3 hours in a year without a determination of  
20                             a physician that additional hours are medically nec-  
21                             essary in that year due to a change in medical condi-  
22                             tion, diagnosis, or treatment regime of the patient;”.

1        (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall apply with respect to services fur-  
3 nished on or after the date of the enactment of this Act.

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