

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3795

To amend title XVIII of the Social Security Act to modify the definition of outpatient speech-language pathology services in order to recognize speech-language pathologists as suppliers under the Medicare Program.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2005

Mr. FERGUSON (for himself, Mr. PICKERING, Mr. CHOCOLA, Mr. INSLEE, Mr. GERLACH, Mr. WILSON of South Carolina, Mr. HOLDEN, and Mr. VAN HOLLEN) 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 modify the definition of outpatient speech-language pathology services in order to recognize speech-language pathologists as suppliers 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. MODIFICATION OF MEDICARE DEFINITION OF**  
2 **OUTPATIENT SPEECH-LANGUAGE PATHOL-**  
3 **OGY SERVICES.**

4 (a) IN GENERAL.—Section 1861(ll) of the Social Se-  
5 curity Act (42 U.S.C. 1395x(ll)) is amended—

6 (1) by redesignating paragraphs (2) and (3) as  
7 paragraphs (3) and (4), respectively; and

8 (2) by inserting after paragraph (1) the fol-  
9 lowing new paragraph:

10 “(2) The term ‘outpatient speech-language pa-  
11 thology services’ has the meaning given the term  
12 ‘outpatient physical therapy services’ in subsection  
13 (p), except that in applying such subsection—

14 “(A) ‘speech-language pathology’ shall be  
15 substituted for ‘physical therapy’ each place it  
16 appears; and

17 “(B) ‘speech-language pathologist’ shall be  
18 substituted for ‘physical therapist’ each place it  
19 appears.”.

20 (b) CONFORMING AMENDMENTS.—(1) Section  
21 1861(p) of the Social Security Act (42 U.S.C. 1395x(p))  
22 is amended by striking the fourth sentence.

23 (2) Section 1833(a)(8)(A) of the Social Security Act  
24 (42 U.S.C. 1395l(a)(8)(A)) is amended by striking “out-  
25 patient physical therapy services (which includes out-  
26 patient speech-language pathology services) and out-

1 patient occupational therapy services” and inserting “out-  
2 patient physical therapy services, outpatient speech-lan-  
3 guage pathology services, and outpatient occupational  
4 therapy services”.

5 (3) Section 1833(a)(8)(B) of the Social Security Act  
6 (42 U.S.C. 1395l(a)(8)(B)) is amended by striking “out-  
7 patient physical therapy services (which includes out-  
8 patient speech-language pathology services) and out-  
9 patient occupational therapy services” and inserting “out-  
10 patient physical therapy services, outpatient speech-lan-  
11 guage pathology services, and outpatient occupational  
12 therapy services”.

13 (c) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply to services provided on or after  
15 the date that is 6 months after the date of enactment of  
16 this Act.

17 (d) CONSTRUCTION.—Nothing in this section shall be  
18 construed to affect existing regulations and policies of the  
19 Centers for Medicare & Medicaid Services that require  
20 physician oversight of care as a condition of payment for  
21 speech-language pathology services under part B of the  
22 medicare program.

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