

110TH CONGRESS
1ST SESSION

H. R. 1293

To amend title XVIII of the Social Security Act to provide for a 2-year moratorium on certain Medicare physician payment reductions for advanced diagnostic imaging services.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2007

Mrs. MCCARTHY of New York (for herself, Mr. PITTS, Mr. GENE GREEN of Texas, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. CLAY, Mr. DAVIS of Kentucky, Mr. ENGLISH of Pennsylvania, Ms. ESHOO, Mr. AL GREEN of Texas, Mr. BRADY of Texas, Mr. GORDON of Tennessee, Mr. HALL of Texas, Mr. HAYES, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. SAM JOHNSON of Texas, Mr. LOBIONDO, Mr. McNULTY, Mrs. MALONEY of New York, Mr. MARSHALL, Mr. MICHAUD, Mr. MORAN of Virginia, Mr. TIM MURPHY of Pennsylvania, Mr. ORTIZ, Mr. PAUL, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. RAMSTAD, Mr. REYES, Mr. REYNOLDS, Mr. SESSIONS, Mr. SHAYS, Mr. SHIMKUS, Mr. SOUDER, Mr. YARMUTH, Mr. KIRK, Mr. ROTHMAN, and Mr. BECERRA) 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

A BILL

To amend title XVIII of the Social Security Act to provide for a 2-year moratorium on certain Medicare physician payment reductions for advanced diagnostic imaging services.

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 “Access to Medicare
 5 Imaging Act of 2007”.

6 **SEC. 2. REDUCTION IN PHYSICIAN FEE SCHEDULE TO OPD**
 7 **PAYMENT AMOUNT LIMITED TO ADVANCED**
 8 **DIAGNOSTIC IMAGING SERVICES.**

9 (a) IN GENERAL.—Section 1848(b)(4) of the Social
 10 Security Act (42 U.S.C. 1395w–4(b)(4)) is amended—

11 (1) in the heading, by striking “IMAGING SERV-
 12 ICES,” and inserting “ADVANCED DIAGNOSTIC IMAG-
 13 ING SERVICES”.

14 (2) in subparagraph (A), by striking “imaging
 15 services” and inserting “advanced diagnostic imag-
 16 ing services”; and

17 (3) by amending subparagraph (B) to read as
 18 follows:

19 “(B) ADVANCED DIAGNOSTIC IMAGING
 20 SERVICES DEFINED.—For purposes of subpara-
 21 graph (A), advanced diagnostic imaging services
 22 described in this subparagraph shall be defined
 23 by the Secretary and shall include only diag-
 24 nostic magnetic resonance imaging (MRI), com-
 25 puted tomography (CT), positron emission to-

1 mography (PET), and nuclear cardiology proce-
2 dures.”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall apply to payment for items and serv-
5 ices furnished on or after the date of the enactment of
6 this Act.

7 **SEC. 3. 2-YEAR MORATORIUM ON CERTAIN MEDICARE PHY-**
8 **SICIAN PAYMENT REDUCTIONS FOR AD-**
9 **VANCED DIAGNOSTIC IMAGING SERVICES.**

10 (a) MORATORIUM.—No payment adjustment shall be
11 made under subsections (b)(4)(A) or (c)(2)(B)(v)(II) of
12 section 1848 of the Social Security Act (42 U.S.C.
13 1395w–4) during the 2-year period beginning on the date
14 of the enactment of this Act.

15 (b) GAO STUDY ON PATIENT ACCESS TO ADVANCED
16 DIAGNOSTIC IMAGING SERVICES.—

17 (1) IN GENERAL.—The Comptroller General of
18 the United States shall conduct a comprehensive
19 study on patient access and service issues relating to
20 the availability and quality of advanced diagnostic
21 imaging services in physician offices and free-
22 standing clinics that would have resulted (but for
23 subsection (a)) from payment changes made by the
24 amendments made by section 5102(b) of the Deficit
25 Reduction Act of 2005.

1 (2) DETAILS.—Such study also shall examine—

2 (A) review application to multiple proce-
3 dure reductions and additional reductions asso-
4 ciated with changes in physician practice ex-
5 pense, with particular attention to rural and
6 medically underserved areas; and

7 (B) the appropriateness of using the hos-
8 pital outpatient department prospective pay-
9 ment system methodology to set reimbursement
10 under the Medicare program for all advanced
11 diagnostic imaging services, regardless of site of
12 service.

13 (3) REPORT.—Not later than July 31, 2009,
14 the Comptroller General shall submit to each House
15 of Congress and the Secretary of Health and
16 Human Services a report on the study under this
17 subsection and shall include in the report such rec-
18 ommendations regarding extending the moratorium
19 imposed under subsection (a) or such other changes
20 in Medicare reimbursement for advanced diagnostic
21 imaging services as the Comptroller General deems
22 appropriate.

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