

110TH CONGRESS  
1ST SESSION

# S. 1109

To increase funding for the National Institutes of Health to carry out breast cancer research and to amend title XVIII of the Social Security Act to extend for 6 months the eligibility period for the “Welcome to Medicare” physical examination and to eliminate coinsurance for screening mammography and colorectal cancer screening tests in order to promote the early detection of cancer.

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IN THE SENATE OF THE UNITED STATES

APRIL 16, 2007

Mr. BAYH introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To increase funding for the National Institutes of Health to carry out breast cancer research and to amend title XVIII of the Social Security Act to extend for 6 months the eligibility period for the “Welcome to Medicare” physical examination and to eliminate coinsurance for screening mammography and colorectal cancer screening tests in order to promote the early detection of cancer.

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. SHORT TITLE.**

2 This Act may be cited as the “Breast Cancer Re-  
3 search and Screening Act of 2007”.

4 **SEC. 2. NIH BREAST CANCER FUNDING.**

5 There is authorized to be appropriated to the Na-  
6 tional Institutes of Health, \$2,148,000,000 for fiscal year  
7 2008 for carrying out breast cancer research under title  
8 IV of the Public Health Service Act (42 U.S.C. 481 et  
9 seq.).

10 **SEC. 3. EXTENDING THE ELIGIBILITY PERIOD FOR A “WEL-  
11 COME TO MEDICARE” PHYSICAL EXAMINA-  
12 TION FROM SIX MONTHS TO ONE YEAR.**

13 (a) IN GENERAL.—Section 1862(a)(1)(K) of the So-  
14 cial Security Act (42 U.S.C. 1395y(a)(1)(K)) is amended  
15 by striking “6 months” and inserting “1 year”.

16 (b) EFFECTIVE DATE.—The amendment made by  
17 subsection (a) shall apply to initial preventive physician  
18 examinations performed on or after January 1, 2008.

19 **SEC. 4. ELIMINATION OF THE 20 PERCENT COINSURANCE  
20 FOR SCREENING MAMMOGRAPHY AND  
21 COLORECTAL CANCER SCREENING TESTS.**

22 (a) SCREENING MAMMOGRAPHY.—

23 (1) IN GENERAL.—Section 1833(a)(1)(B) of the  
24 Social Security Act (42 U.S.C. 1395l(a)(1)(B)) is  
25 amended—

(A) by inserting “and with respect to screening mammography (as defined in section 1861(jj))” after “section 1861(s)(10)(A)”; and

(B) by striking “100 percent of the reasonable charge for such items and services” and inserting “100 percent of the fee schedule or other basis of payment under this title for the vaccine and its administration or for the screening mammography”.

(2) APPLICATION TO OUTPATIENT HOSPITAL SETTINGS.—The third sentence of section 1866(a)(2)(A) of the Social Security Act (42 U.S.C. 1395cc(a)(2)(A)) is amended by inserting after “1861(s)(10)(A)” the following: “, with respect to screening mammography,”.

(b) COLORECTAL CANCER SCREENING TESTS.—

(1) IN GENERAL.—Section 1834(d) of the Social Security Act (42 U.S.C. 1395m(d)) is amended—

(A) in paragraph (2)(C)—

(i) by striking “FACILITY PAYMENT LIMIT” and all that follows through “Notwithstanding subsections” and inserting “FACILITY PAYMENT LIMIT.—Notwithstanding subsections”;

1 (ii) by striking “(I) in accordance”  
 2 and inserting “(i) in accordance”;

3 (iii) by striking “(II) are performed”  
 4 and all that follows through “payment  
 5 under” and inserting “(ii) are performed  
 6 in an ambulatory surgical center or hos-  
 7 pital outpatient department, payment  
 8 under”; and

9 (iv) by striking clause (ii); and  
 10 (B) in paragraph (3)(C)—

11 (i) by striking “FACILITY PAYMENT  
 12 LIMIT” and all that follows through “Not-  
 13 withstanding subsections” and inserting  
 14 “FACILITY PAYMENT LIMIT.—Notwith-  
 15 standing subsections”; and

16 (ii) by striking clause (ii).

17 (2) APPLICATION TO OUTPATIENT HOSPITAL  
 18 SETTINGS.—(A) Section 1833(t)(1)(B)(iv) of the So-  
 19 cial Security Act (42 U.S.C. 1395l(t)(1)(B)(iv)) is  
 20 amended by inserting “and does not include  
 21 colorectal cancer screening tests” after “diagnostic  
 22 mammography”.

23 (B) The third sentence of section 1866(a)(2)(A)  
 24 of such Act (42 U.S.C. 1395cc(a)(2)(A)), as amend-  
 25 ed by subsection (a)(2), is amended by inserting

1 “and colorectal cancer screening tests” after  
2 “screening mammography”.

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to screening mammography and  
5 colorectal cancer screening tests performed on or after  
6 January 1, 2008.

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