111TH CONGRESS
1ST SESSION

H. R. 2578

To amend title XVIII of the Social Security Act to provide an increased payment for chest radiography (x-ray) services that use Computer Aided Detection technology for the purpose of early detection of lung cancer.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2009

Ms. BERKLEY (for herself, Mr. HELLER, Ms. KILPATRICK of Michigan, Mr. FORBES, Mr. HASTINGS of Florida, Mr. RUSH, and Mr. MEEK of Florida) 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 provide an increased payment for chest radiography (x-ray) services that use Computer Aided Detection technology for the purpose of early detection of lung cancer.

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 Lung Cancer

5 Early Detection Promotion Act of 2009".

SEC. 2. MEDICARE PAYMENT FOR CHEST RADIOGRAPHY THAT USES COMPUTER AIDED DETECTION TECHNOLOGY.

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

(1) in subsection (b)(1)(B), by striking "subsection (c)(1)(A)" and inserting "subsections (c)(1)(A) and (n)"; and

(2) by adding at the end the following new subsection:

"(n) PAYMENT FOR CHEST RADIOGRAPHY SERVICES THAT USE COMPUTER AIDED DETECTION TECHNOLOGY FOR THE EARLY DETECTION OF LUNG CANCER.—

"(1) IN GENERAL.—Notwithstanding any other provision of this part, with respect to chest radiography services (identified as of September 1, 2006, by HCPCS codes 71010, 71020, 71021, 71022, and 71030, and as subsequently modified by the Secretary) furnished on or after January 1, 2010, that use Computer Aided Detection technology for the early detection of lung cancer (as defined in paragraph (4)), the amount of payment shall be equal to—

"(A) with respect to the technical component of such services—

1   "(i) the amount of payment under the

2   fee schedule established under section

3   1848 for such component for the year that

4   would otherwise apply; plus

5   "(ii) the amount described in para-

6   graph (2); and

7   "(B) with respect to the professional com-

8   ponent of such services—

9   "(i) the amount of payment under the

10   fee schedule established under section

11   1848 for such component for the year that

12   would otherwise apply; plus

13   "(ii) the amount described in para-

14   graph (3).

15   "(2) AMOUNT DESCRIBED FOR TECHNICAL

16 COMPONENT.—The amount described in this para-

17 graph for services furnished—

18   "(A) during 2010 is $12; or

19   "(B) during a subsequent year is the

20   amount established under this paragraph for

21   the preceding year, increased by the update de-

22   termined under section 1848(d) for the year.

23   "(3) AMOUNT DESCRIBED FOR PROFESSIONAL

24 COMPONENT.—The amount described in this para-

25 graph for services furnished—

1   "(A) during 2010 is $4; and

2   "(B) during a subsequent year is the

3   amount established under this paragraph for

4   the preceding year increased by the update de-

5   termined under section 1848(d) for the year.

6   "(4) COMPUTER AIDED DETECTION TECH-

7   NOLOGY FOR THE EARLY DETECTION OF LUNG CAN-

8   CER DEFINED.—In this subsection, the term 'Com-

9   puter Aided Detection technology for the early detec-

10   tion of lung cancer' means a computer software

11   technology which allows for the production of a dig-

12   ital chest x-ray image or the conversion of a chest

13   x-ray into a digital image to be subsequently ana-

14   lyzed for early lung cancer nodules and which the

15   Food and Drug Administration has granted approval

16   or clearance.

17   "(5) NEW CODES.—The Secretary shall estab-

18   lish new codes for chest radiography services de-

19   scribed in paragraph (1) in order to implement this

20   subsection.".

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