

111TH CONGRESS  
2D SESSION

# H. R. 5461

To amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare Program.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2010

Mr. DAVIS of Illinois (for himself, Mr. KIRK, and Mr. BOREN) 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 cover screening computed tomography colonography as a colorectal cancer screening test 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Virtual Screening for  
5 Colorectal Cancer Act of 2010”.

1 **SEC. 2. COVERING SCREENING COMPUTED TOMOGRAPHY**  
 2 **COLONOGRAPHY AS A COLORECTAL CANCER**  
 3 **SCREENING TEST UNDER MEDICARE..**

4 (a) IN GENERAL.—Section 1861(pp)(1) of the Social  
 5 Security Act (42 U.S.C. 1395x(pp)(1)) is amended—

6 (1) by redesignating subparagraph (D) as sub-  
 7 paragraph (E); and

8 (2) by inserting after subparagraph (C) the fol-  
 9 lowing new subparagraph:

10 “(D) Screening computed tomography  
 11 colonography.”.

12 (b) FREQUENCY LIMITS AND PAYMENT.—Section  
 13 1834(d) of such Act (42 U.S.C. 1395m(d)) is amended  
 14 by adding at the end the following new paragraph:

15 “(4) SCREENING COMPUTED TOMOGRAPHY  
 16 COLONOGRAPHY.—

17 “(A) FEE SCHEDULE.—With respect to a  
 18 colorectal cancer screening test consisting of  
 19 screening computed tomography colonography,  
 20 subject to subparagraph (B), payment under  
 21 section 1848 shall be consistent with payment  
 22 under such section for similar or related serv-  
 23 ices.

24 “(B) PAYMENT LIMIT.—In the case of  
 25 screening computed tomography colonography,

1 payment under this part shall not exceed such  
2 amount as the Secretary specifies.

3 “(C) FACILITY PAYMENT LIMIT.—

4 “(i) LIMITATION ON COINSURANCE.—  
5 Notwithstanding any other provision of  
6 this title, in the case of an individual who  
7 receives screening computed tomography  
8 colonography—

9 “(I) in computing the amount of  
10 any applicable coinsurance, the com-  
11 putation of such coinsurance shall be  
12 based upon the fee schedule under  
13 which payment is made for the serv-  
14 ices; and

15 “(II) the amount of such coinsur-  
16 ance shall not exceed 25 percent of  
17 the payment amount under the fee  
18 schedule described in subparagraph  
19 (A).

20 “(D) FREQUENCY LIMIT.—No payment  
21 may be made under this part for a colorectal  
22 cancer screening test consisting of a screening  
23 computed tomography colonography—

24 “(i) if the individual is under 50 years  
25 of age; or

1 “(ii)(I) in the case of individuals at  
 2 high risk for colorectal cancer, if the proce-  
 3 dure is performed within the 23 months  
 4 after a previous screening computed to-  
 5 mography colonography or a previous  
 6 screening colonoscopy; or

7 “(II) in the case of an individual who  
 8 is not at high risk for colorectal cancer, if  
 9 the procedure is performed within the 119  
 10 months after a previous screening  
 11 colonoscopy or within the 59 months after  
 12 a previous screening flexible sigmoidoscopy  
 13 or a previous screening computed tomog-  
 14 raphy colonography.”.

15 (c) CONFORMING FREQUENCY LIMITS FOR OTHER  
 16 COLORECTAL CANCER SCREENING TESTS.—

17 (1) SCREENING FLEXIBLE SIGMOIDOSCOPY.—  
 18 Paragraph (2)(E)(ii) of section 1834(d) of the Social  
 19 Security Act (42 U.S.C. 1395m(d)) is amended by  
 20 inserting “or screening computed tomography  
 21 colonography” after “previous screening flexible  
 22 sigmoidoscopy”.

23 (2) SCREENING COLONOSCOPY.—Paragraph  
 24 (3)(E) of such section is amended—

1 (A) by inserting “or screening computed  
2 tomography colonography” after “23 months  
3 after a previous screening colonoscopy”; and

4 (B) by inserting “or screening computed  
5 tomography colonography” after “screening  
6 flexible sigmoidoscopy”.

7 (d) EFFECTIVE DATE.—The amendments made by  
8 this section shall apply to items and services furnished on  
9 or after January 1, 2011.

10 **SEC. 3. EXEMPTION OF SCREENING COMPUTED TOMOG-**  
11 **RAPHY COLONOGRAPHY FROM SPECIAL**  
12 **RULE ON PAYMENT FOR IMAGING SERVICES.**

13 (a) IN GENERAL.—Section 1848(b)(4)(B) of the So-  
14 cial Security Act (42 U.S.C. 1395w–4(b)(4)(B)) is amend-  
15 ed by inserting “and screening computed tomography  
16 colonography” after “diagnostic and screening mammog-  
17 raphy”.

18 (b) EFFECTIVE DATE.—The amendment made by  
19 subsection (a) shall apply to items and services furnished  
20 on or after January 1, 2011.

21 **SEC. 4. REPORT ON THE EFFECTIVENESS OF SCREENING**  
22 **CTC IN IMPROVING OVERALL CRC COMPLI-**  
23 **ANCE.**

24 (a) GAO STUDY AND REPORTS ON EFFECTIVENESS  
25 OF SCREENING COMPUTED TOMOGRAPHY COLONOGRAPY

1 IN IMPROVING OVERALL COLORECTAL CANCER COMPLI-  
2 ANCE.—

3 (1) STUDY.—

4 (A) IN GENERAL.—The Comptroller Gen-  
5 eral of the United States (in this subsection re-  
6 ferred to as the “Comptroller General”) shall  
7 conduct a study, by colorectal cancer screening  
8 procedure type, on—

9 (i) the effect of the addition of the  
10 screening computed tomography  
11 colonography (in this subsection referred  
12 to as “screening CTC”) benefit under sec-  
13 tion 1861(pp)(1)(D) of the Social Security  
14 Act, as added by section 2(a);

15 (ii) the effect of the addition of such  
16 benefit as part of an overall set of  
17 colorectal cancer screening (in this sub-  
18 section referred to as the “CRC screen-  
19 ing”) made available to relevant Medicare  
20 population, including individuals over 50  
21 years of age and over 75 years of age; and

22 (iii) any other relevant questions in-  
23 volving access to, beneficiary preference of,  
24 and the value of, screening CTC for Medi-  
25 care beneficiaries.

1 (B) ISSUES.—The study conducted under  
2 subparagraph (A) shall examine the following:

3 (i) The impact of screening CTC on  
4 the change in CRC screening compliance of  
5 Medicare beneficiaries.

6 (ii) The various utilization rates for  
7 the each available CRC screening option  
8 before and after the availability of screen-  
9 ing CTC, including—

10 (I) by initial CRC screening per-  
11 formed as a Medicare beneficiary, in-  
12 cluding the beneficiary age when ini-  
13 tial screening was performed; and

14 (II) by follow-on screening per-  
15 formed, whereby the analysis dem-  
16 onstrates to what extent screening  
17 CTC was used as a substitute for a  
18 previous screening procedure.

19 (iii) The referral rate of screening  
20 CTC to follow-on optical colonoscopy.

21 (iv) An analysis of beneficiary pref-  
22 erence to the various CRC screening op-  
23 tions.

24 (v) Access to screening CTC by Medi-  
25 care beneficiaries, especially in rural areas

1 or underserved populations, before and  
2 after implementation of such screening  
3 benefit.

4 (vi) Such other issues as the Comp-  
5 troller General determines appropriate.

6 (2) REPORTS.—

7 (A) PRELIMINARY REPORT.—Not later  
8 than March 1, 2015, the Comptroller General  
9 shall submit a preliminary report to Congress  
10 on the study conducted under paragraph (1).

11 (B) FINAL REPORT.—Not later than  
12 March 1, 2016, the Comptroller General shall  
13 submit a final report to Congress on the study  
14 conducted under paragraph (1), together with  
15 recommendations for such legislation and ad-  
16 ministrative action as the Comptroller General  
17 determines appropriate.

○