

111TH CONGRESS
2D SESSION

H. R. 6459

To amend section 1848 of the Social Security Act to provide for a 4-year transition in reductions in relative value units for certain newly bundled services to allow physician practice time to adjust to new payment rates.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2010

Mr. GONZALEZ 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 section 1848 of the Social Security Act to provide for a 4-year transition in reductions in relative value units for certain newly bundled services to allow physician practice time to adjust to new payment rates.

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. 4-YEAR TRANSITION IN REDUCTION IN REL-**
2 **ATIVE VALUE UNITS FOR CODES FOR CER-**
3 **TAIN SERVICES.**

4 (a) IN GENERAL.—Section 1848(c)(2) of the Social
5 Security Act (42 U.S.C. 1395w–4(c)(2)) is amended by
6 adding at the end the following new subparagraph:

7 “(M) 4-YEAR TRANSITION FOR REDUC-
8 TIONS IN RELATIVE VALUE UNITS FOR CODES
9 FOR CERTAIN SERVICES.—

10 “(i) IN GENERAL.—In the case of
11 codes (for services) described in clause (ii)
12 for which a change in relative value units
13 results in a reduction in such units of 10
14 percent or more, the Secretary shall pro-
15 vide for a 4-year transition consistent with
16 clause (iii).

17 “(ii) APPLICABLE CODES (FOR SERV-
18 ICES).—For purposes of clause (i), the
19 codes (for services) described in this clause
20 are codes (for services) for which a single
21 code is used for payment for services for
22 which multiple codes were previously used.

23 “(iii) TRANSITION.—The 4-year tran-
24 sition under clause (i) shall apply to the
25 number of percentage points of the reduc-
26 tion in excess of 10 percent.”.

1 (b) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Except as provided in para-
3 graphs (2) and (3), subparagraph (M) of section
4 1848(c)(2) of the Social Security Act, as added by
5 the amendment made by subsection (a), shall apply
6 to relative value units for codes applicable to services
7 furnished on or after January 1, 2012.

8 (2) EXCEPTION FOR NEW CODES IN 2010.—In
9 the case of relative value units for which codes de-
10 scribed in clause (ii) of such subparagraph first ap-
11 plied to services furnished on or after January 1,
12 2010, the following rules shall apply:

13 (A) 2011.—Such subparagraph shall apply
14 to such codes for services furnished during
15 2011 (on or after April 1, 2011) and the second
16 year of a 4-year transition shall be applied to
17 relative value units for codes for such services
18 in a manner as if the transition period began
19 in 2010.

20 (B) 2012.—In applying such subparagraph
21 to services furnished during 2012, the third
22 year of a 4-year transition shall be applied to
23 relative value units for codes for such services
24 in a manner as if the transition period began
25 in 2010.

1 (C) 2013.—In applying such subparagraph
2 to services furnished during 2013, the fourth
3 year of a 4-year transition shall be applied to
4 relative value units for codes for services fur-
5 nished during 2013 in a manner as if the tran-
6 sition period began in 2010.

7 (3) EXCEPTION FOR NEW CODES AFTER 2011.—
8 In the case of relative value units for codes described
9 in clause (ii) of such subparagraph first applied to
10 services furnished on or after January 1, 2011, the
11 following rules shall apply with respect to such
12 amendment:

13 (A) 2011.—Such subparagraph shall apply
14 to such codes for services furnished during
15 2011 (on or after April 1, 2011) and first year
16 of a 4-year transition shall be applied to rel-
17 ative value units for codes for such services in
18 a manner as if the transition period began in
19 2011.

20 (B) 2012.—In applying such subparagraph
21 to services furnished during 2012, the second
22 year of a 4-year transition shall be applied to
23 relative value units for codes for such services
24 in a manner as if the transition period began
25 in 2011.

1 (C) 2013.—In applying such subparagraph
2 to services furnished during 2013, the third
3 year of a 4-year transition shall be applied to
4 relative value units for codes for services fur-
5 nished during 2013 in a manner as if the tran-
6 sition period began in 2011.

7 (4) APPLICATION OF BUDGET NEUTRALITY.—
8 Nothing in this subsection shall be construed as
9 waiving the application of the budget-neutrality re-
10 quirement of section 1848(c)(2)(B)(ii) of the Social
11 Security Act (42 U.S.C. 1395(c)(2)(B)(ii)) that oth-
12 erwise applies, including for the period during 2011
13 beginning on April 1, 2011.

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