

113TH CONGRESS  
2D SESSION

# H. R. 4857

To amend title XVIII of the Social Security Act to modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

Mr. REED (for himself, Mr. ROSKAM, Mr. ROGERS of Michigan, Mr. McDERMOTT, Mr. SCHNEIDER, and Mrs. CAPPS) 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 modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes.

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 “Ensuring Equal Access  
5 to Treatments Act of 2014”.

1 **SEC. 2. PAYMENT UNDER THE MEDICARE PROGRAM FOR**  
2 **OUTPATIENT DEPARTMENT PROCEDURES**  
3 **THAT UTILIZE DRUGS AS SUPPLIES.**

4 Section 1833(t)(2)(G) of the Social Security Act (42  
5 U.S.C. 1395l(t)(2)(G)) is amended by striking “shall” and  
6 all that follows and inserting the following: “shall—

7 “(i) create additional groups of cov-  
8 ered OPD services that classify separately  
9 those procedures that utilize contrast  
10 agents from those that do not;

11 “(ii) create and implement, for serv-  
12 ices furnished not later than the date of  
13 the enactment of this clause and in a  
14 budget neutral manner, additional groups  
15 of covered OPD services that classify sepa-  
16 rately those procedures that utilize a drug  
17 (other than contrast agents and diagnostic  
18 radiopharmaceuticals) that both—

19 “(I) has a cost above the drug  
20 packaging threshold; and

21 “(II) functions as a supply when  
22 used in a diagnostic test or procedure;  
23 from those that do not; and”.

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