

116TH CONGRESS
1ST SESSION

H. R. 373

To amend title XVIII of the Social Security Act to provide for certain administrative or judicial review respecting the identification of primary care practitioners under part B of the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2019

Ms. BROWNLEY of California 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 provide for certain administrative or judicial review respecting the identification of primary care practitioners under part B of 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 “Fairness for Medical
5 Providers Act of 2019”.

1 **SEC. 2. PROVIDING FOR CERTAIN ADMINISTRATIVE OR JU-**
2 **DICIAL REVIEW RESPECTING THE IDENTI-**
3 **FICATION OF PRIMARY CARE PRACTI-**
4 **TIONERS UNDER PART B OF THE MEDICARE**
5 **PROGRAM.**

6 (a) IN GENERAL.—Section 1833(x)(4) of the Social
7 Security Act (42 U.S.C. 1395l(x)(4)) is amended to read
8 as follows:

9 “(4) LIMITATION ON REVIEW.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graph (B), there shall be no administrative or
12 judicial review under section 1869, 1878, or
13 otherwise, respecting the identification of pri-
14 mary care practitioners under this subsection.

15 “(B) EXCEPTION.—Subparagraph (A)
16 shall not apply in the case of administrative or
17 judicial review under section 1869, 1878, or
18 otherwise, of the issue of whether the Secretary
19 (or an entity contracting with the Secretary)
20 failed to identify an individual described in
21 clause (i) of paragraph (2)(A) as a primary
22 care practitioner by reason of coding error with
23 respect to items and services furnished by such
24 individual during an applicable prior period (as
25 described in clause (ii) of such paragraph).”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply as if included in the enactment
3 of the Patient Protection and Affordable Care Act (Public
4 Law 111–148).

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