

116TH CONGRESS
1ST SESSION

H. R. 5254

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of digital retinal imaging with remote interpretation.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 2019

Ms. SEWELL of Alabama (for herself, Mr. REED, and Ms. DEGETTE) 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 coverage under the Medicare program of digital retinal imaging with remote interpretation.

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 “Diabetic Vision Loss
5 and Blindness Prevention Act of 2019”.

1 **SEC. 2. MEDICARE COVERAGE OF DIGITAL RETINAL IMAG-**
2 **ING WITH REMOTE INTERPRETATION.**

3 (a) COVERAGE.—Section 1861 of the Social Security
4 Act (42 U.S.C. 1395x) is amended—

5 (1) in subsection (s)(2)—

6 (A) in subparagraph (GG), by striking
7 “and” at the end;

8 (B) in subparagraph (HH), by adding
9 “and” at the end; and

10 (C) by inserting after subparagraph (HH)
11 the following new subparagraph:

12 “(II) digital retinal imaging with remote
13 interpretation (as defined in subsection
14 (kkk));”; and

15 (2) by adding at the end the following new sub-
16 section:

17 “(kkk) DIGITAL RETINAL IMAGING WITH REMOTE
18 INTERPRETATION.—The term ‘digital retinal imaging
19 with remote interpretation’ means a diagnostic procedure
20 for the purpose of early detection or assessment of diabetic
21 retinopathy that—

22 “(1) is provided not more frequently than on an
23 annual basis to an individual who has been diag-
24 nosed with diabetes and who does not have prior dia-
25 betic retinopathy known to the primary care practi-
26 tioner of the individual;

1 “(2) is provided by or under the general super-
2 vision of a primary care practitioner (as defined in
3 section 1833(x)) or board-certified endocrinologist;

4 “(3) utilizes a retinal camera with optical reso-
5 lution compliant with the International Organization
6 for Standardization ISO 10940 to take digital im-
7 ages of structures behind the lens of the eye, such
8 as the retina, choroid, and optic nerve; and

9 “(4) involves the electronic transmission of such
10 images for evaluation for diabetic retinopathy and
11 other diseases of the eye by a State-licensed ophthal-
12 mologist or optometrist.”.

13 (b) PAYMENT.—The payment amount for digital ret-
14 inal imaging with remote interpretation provided pursuant
15 to the amendments made by section (a) shall be equal to—

16 (1) for the period beginning on October 1,
17 2019, and ending on December 31, 2019, and for
18 2020, \$51.54; and

19 (2) for a subsequent year, the payment amount
20 specified in subparagraph (1) or this subparagraph
21 for the preceding year increased by the percentage
22 increase in the MEI (as defined in section
23 1842(i)(3) of the Social Security Act (42 U.S.C.
24 1395u(i)(3)) for such subsequent year.

1 Digital retinal imaging with remote interpretation shall
2 not be considered a telehealth service for purposes of sec-
3 tion 1834(m) of the Social Security Act (42 U.S.C.
4 1395m(m)).

5 (c) PATIENT EDUCATION AND AWARENESS.—

6 (1) ANNUAL EYE EXAM RECOMMENDATION.—

7 The Secretary of Health and Human Services shall
8 ensure that diabetes outpatient self-management
9 training services described in section 1861(qq) of the
10 Social Security Act (42 U.S.C. 1395x(qq)) educate
11 Medicare beneficiaries regarding the importance of
12 receiving an annual comprehensive eye exam.

13 (2) PATIENT AWARENESS.—The Secretary shall
14 undertake efforts to ensure that patients receiving
15 digital retinal imaging with remote interpretation as
16 described in subsection (kkk) of section 1861 of the
17 Social Security Act (42 U.S.C. 1395x), as added by
18 subsection (a), are aware of the availability of and
19 coverage for diabetes outpatient self-management
20 training services under subsection (s)(2)(S) of such
21 section.

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