

117TH CONGRESS
2D SESSION

S. 5062

To amend title XVIII of the Social Security Act to increase access to mental health programs for physicians.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2022

Mr. DAINES (for himself and Ms. STABENOW) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to increase access to mental health programs for physicians.

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 “Protect Our Physicians
5 Act”.

6 **SEC. 2. ACCESS TO MENTAL HEALTH PROGRAMS FOR PHY-**
7 **SICIANS.**

8 Section 1877(e) of the Social Security Act (42 U.S.C.
9 1395nn(e)) is amended by adding at the end the following
10 new paragraph:

1 “(9) MENTAL HEALTH PROGRAM FOR PHYSI-
 2 CIANS.—The provision by an entity of an evidence-
 3 based or evidence-informed program for physicians
 4 for the primary purpose of preventing suicide and
 5 improving mental health and resiliency and for
 6 training such physicians in appropriate strategies to
 7 promote their mental health, if such program—

8 “(A) is in a policy set out in writing and
 9 approved in advance of the operation of the
 10 program by the governing body of the entity;

11 “(B) is offered to all physicians on the
 12 bona fide medical staff of the entity or in the
 13 local community or service area of the entity;

14 “(C) is offered to all such physicians on
 15 the same terms and conditions regardless of the
 16 volume or value of referrals or other business
 17 generated by the physician for the entity; and

18 “(D) meets any other requirements as the
 19 Secretary may impose by regulation as needed
 20 to protect against program or patient abuse.”.

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