

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5088

To amend title XVIII of the Social Security Act to ensure the adequacy of Medicare payment for digital mammography.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2000

Mr. SHAW introduced the following bill; which was referred to the Committee on 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 ensure the adequacy of Medicare payment for digital mammography.

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 “Breast Imaging Goes  
5        High Tech in the Future for Women Act” (BRIGHT Fu-  
6        ture for Women Act).

7        **SEC. 2. MEDICARE ACCESS TO DIGITAL MAMMOGRAPHY.**

8        (a) PAYMENT RATE.—

1           (1) IN GENERAL.—The fee schedule amount  
2 otherwise applicable to digital mammography (in-  
3 cluding a physician’s interpretation of the results of  
4 such procedure) under part B of title XVIII of the  
5 Social Security Act shall be—

6                   (A) for digital mammography performed in  
7 2001, \$130; or

8                   (B) for digital mammography performed in  
9 a subsequent year, subject to subsection (d),  
10 the amount established under this subsection  
11 for the preceding year adjusted by the percent-  
12 age increase in the MEI (as defined in section  
13 1842(i)(3) of such Act (42 U.S.C. 1395u(i)(3)).

14           (2) GEOGRAPHIC ADJUSTMENT.—The amount  
15 specified in paragraph (1) shall be subject to geo-  
16 graphic adjustment in the same manner as fee  
17 schedule amounts are adjusted under section  
18 1834(b) or 1848 of such Act (42 U.S.C. 1395m(b),  
19 1395w-4).

20           (3) ALLOCATION.—The Secretary of Health  
21 and Human Services shall provide for an appro-  
22 priate allocation between the professional and tech-  
23 nical components of the rate under paragraph (1),  
24 where there is a claim for professional services sepa-

1 rate from the claim for the digital radiologic proce-  
2 dure.

3 (b) ANNUAL ADJUSTMENT.—

4 (1) IN GENERAL.—The Secretary may adjust  
5 the payment rate under subsection (a), including  
6 both the professional and technical components of  
7 such rate, on an annual basis for services provided  
8 after 2001, to take into account such additional fac-  
9 tors as the Secretary determines to be appropriate,  
10 including—

11 (A) advances in technology;

12 (B) changes in productivity resulting from  
13 use of digital mammography; and

14 (C) physician training required to interpret  
15 the results of digital mammograms.

16 (2) REPORTS.—Not later than June 1, 2001,  
17 the Secretary shall submit—

18 (A) a report to the Congress regarding the  
19 adjustments under paragraph (1) to the profes-  
20 sional component of the payment rate; and

21 (B) a report to the Congress regarding the  
22 adjustments under paragraph (1) to the tech-  
23 nical component of the payment rate.

24 (c) EXEMPTION FROM LIMIT ON PAYMENT.—The  
25 limit imposed under sections 1834(c)(1)(C)(iii) and

1 1834(c)(3) of such Act (42 U.S.C. 1395m(c)(1)(C)(iii),  
2 1395m(c)(3)) shall not apply to payment for digital mam-  
3 mography.

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