

114TH CONGRESS
1ST SESSION

H. R. 2550

To amend title XVIII of the Social Security Act to provide Medicare payment incentives to transition from traditional x-ray imaging to digital radiography, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2015

Mrs. McMORRIS RODGERS 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 Medicare payment incentives to transition from traditional x-ray imaging to digital radiography, 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 “Medical Imaging Mod-
5 ernization Act of 2015”.

1 **SEC. 2. MEDICARE PAYMENT INCENTIVE FOR THE TRANSI-**
2 **TION FROM TRADITIONAL X-RAY IMAGING TO**
3 **DIGITAL RADIOGRAPHY AND OTHER MEDI-**
4 **CARE IMAGING PAYMENT PROVISION.**

5 (a) **PHYSICIAN FEE SCHEDULE.—**

6 (1) **PAYMENT INCENTIVE FOR TRANSITION.—**

7 (A) **IN GENERAL.—**Section 1848(b) of the
8 Social Security Act (42 U.S.C. 1395w-4(b)) is
9 amended by adding at the end the following
10 new paragraph:

11 “(9) **SPECIAL RULE TO INCENTIVIZE TRANSI-**
12 **TION FROM TRADITIONAL X-RAY IMAGING TO DIG-**
13 **ITAL RADIOGRAPHY.—**

14 “(A) **LIMITATION ON PAYMENT FOR FILM**
15 **X-RAY IMAGING SERVICES.—**In the case of im-
16 aging services that are X-rays taken using film
17 and that are furnished during 2017 or a subse-
18 quent year, the payment amount for the tech-
19 nical component (including the technical compo-
20 nent portion of a global fee) of such services
21 that would otherwise be determined under this
22 section (without application of this paragraph
23 and before application of any other adjustment
24 under this section) for such year shall be re-
25 duced by 20 percent.

1 “(B) PHASED-IN LIMITATION ON PAYMENT
2 FOR COMPUTED RADIOGRAPHY IMAGING SERV-
3 ICES.—In the case of imaging services that are
4 X-rays taken using computed radiography tech-
5 nology—

6 “(i) in the case of such services fur-
7 nished during 2018, 2019, 2020, 2021, or
8 2022 the payment amount for the tech-
9 nical component (including the technical
10 component portion of a global fee) of such
11 services that would otherwise be deter-
12 mined under this section (without applica-
13 tion of this paragraph and before applica-
14 tion of any other adjustment under this
15 section) for such year shall be reduced by
16 7 percent; and

17 “(ii) in the case of such services fur-
18 nished during 2023 or a subsequent year,
19 the payment amount for the technical com-
20 ponent (including the technical component
21 portion of a global fee) of such services
22 that would otherwise be determined under
23 this section (without application of this
24 paragraph and before application of any

1 other adjustment under this section) for
2 such year shall be reduced by 10 percent.

3 “(C) COMPUTED RADIOGRAPHY TECH-
4 NOLOGY DEFINED.—For purposes of this para-
5 graph, the term ‘computed radiography tech-
6 nology’ means cassette-based imaging which
7 utilizes an imaging plate to create the image in-
8 volved.

9 “(D) IMPLEMENTATION.—In order to im-
10 plement this paragraph, the Secretary shall
11 adopt appropriate mechanisms which may in-
12 clude use of modifiers.”.

13 (B) EXEMPTION FROM BUDGET NEU-
14 TRALITY.—Section 1848(c)(2)(B)(v) of the So-
15 cial Security Act (42 U.S.C. 1395w-
16 4(c)(2)(B)(v)) is amended, by adding at the end
17 the following new subclause:

18 “(X) REDUCED EXPENDITURES
19 ATTRIBUTABLE TO INCENTIVES TO
20 TRANSITION TO DIGITAL RADIOG-
21 RAPHY.—Effective for fee schedules
22 established beginning with 2017, re-
23 duced expenditures attributable to
24 subparagraph (A) of subsection (b)(9)
25 and effective for fee schedules estab-

1 lished beginning with 2018, reduced
2 expenditures attributable to subpara-
3 graph (B) of such subsection.”.

4 (2) ELIMINATION OF APPLICATION OF MUL-
5 TIPLE PROCEDURE PAYMENT REDUCTION.—Section
6 1848(b)(4) of the Social Security Act (42 U.S.C.
7 1395w-4(b)(4)) is amended by adding at the end
8 the following new subparagraph:

9 “(E) ELIMINATION OF APPLICATION OF
10 MULTIPLE PROCEDURE PAYMENT REDUC-
11 TION.—

12 “(i) IN GENERAL.—Not later than
13 January 1, 2016, the Secretary shall not
14 apply a multiple procedure payment reduc-
15 tion policy to the professional component
16 of imaging services furnished in any subse-
17 quent year that is prior to a year in which
18 the Secretary conducts and publishes, as
19 part of the Medicare Physician Fee Sched-
20 ule Proposed Rule for a year, the empirical
21 analysis described in clause (ii).

22 “(ii) EMPIRICAL ANALYSIS DE-
23 SCRIBED.—The empirical analysis de-
24 scribed in this clause is an analysis of the
25 Resource-Based Relative Value Scale (com-

1 monly known as the ‘RBRVS’) Data Man-
2 ager information that is used to determine
3 what, if any, efficiencies exist within the
4 professional component of imaging services
5 when two or more studies are performed
6 on the same patient on the same day. Such
7 empirical analysis shall include—

8 “(I) work sheets and other infor-
9 mation detailing which physician work
10 activities performed given the typical
11 vignettes were assigned reduction per-
12 centages of 0, 25, 50, 75 and 100
13 percent;

14 “(II) a discussion of the clinical
15 aspects that informed the assignment
16 of the reduction percentages described
17 in subclause (I);

18 “(III) an explanation of how the
19 percentage reductions for pre-, intra
20 and post-service work were deter-
21 mined and calculated; and

22 “(IV) a demonstration that the
23 Centers for Medicare & Medicaid
24 Services has consulted with practicing
25 radiologists to gain knowledge of how

1 radiologists interpret studies of mul-
2 tiple body parts on the same indi-
3 vidual on the same day.”.

4 (b) PAYMENT INCENTIVE FOR TRANSITION UNDER
5 HOSPITAL OUTPATIENT PROSPECTIVE PAYMENT SYS-
6 TEM.—Section 1833(t)(16) of the Social Security Act (42
7 U.S.C. 1395(t)(16)) is amended by adding at the end the
8 following new subparagraph:

9 “(F) PAYMENT INCENTIVE FOR THE TRAN-
10 SITION FROM TRADITIONAL X-RAY IMAGING TO
11 DIGITAL RADIOGRAPHY.—Notwithstanding the
12 previous provisions of this subsection:

13 “(i) LIMITATION ON PAYMENT FOR
14 FILM X-RAY IMAGING SERVICES.—In the
15 case of imaging services that are X-rays
16 taken using film and that are furnished
17 during 2017 or a subsequent year, the pay-
18 ment amount for the technical component
19 (including the technical component portion
20 of a global fee) of such services that would
21 otherwise be determined under this section
22 (without application of this paragraph and
23 before application of any other adjustment
24 under this subsection) for such year shall
25 be reduced by 20 percent.

1 “(ii) PHASED-IN LIMITATION ON PAY-
2 MENT FOR COMPUTED RADIOGRAPHY IM-
3 AGING SERVICES.—In the case of imaging
4 services that are X-rays taken using com-
5 puted radiography technology (as defined
6 in section 1848(b)(9)(C))—

7 “(I) in the case of such services
8 furnished during 2018, 2019, 2020,
9 2021, or 2022 the payment amount
10 for the technical component (including
11 the technical component portion of a
12 global fee) of such services that would
13 otherwise be determined under this
14 section (without application of this
15 paragraph and before application of
16 any other adjustment under this sub-
17 section) for such year shall be reduced
18 by 7 percent; and

19 “(II) in the case of such services
20 furnished during 2023 or a subse-
21 quent year, the payment amount for
22 the technical component (including
23 the technical component portion of a
24 global fee) of such services that would
25 otherwise be determined under this

1 section (without application of this
2 paragraph and before application of
3 any other adjustment under this sub-
4 section) for such year shall be reduced
5 by 10 percent.

6 “(iii) APPLICATION WITHOUT REGARD
7 TO BUDGET NEUTRALITY.—The reductions
8 made under this paragraph—

9 “(I) shall not be considered an
10 adjustment under paragraph (2)(E);
11 and

12 “(II) shall not be implemented in
13 a budget neutral manner.”.

○