

113TH CONGRESS  
1ST SESSION

# H. R. 2843

To amend title XI of the Social Security Act to provide for the public availability of Medicare claims data.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2013

Mr. SENSENBRENNER (for himself and Mr. CUMMINGS) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 XI of the Social Security Act to provide for the public availability of Medicare claims data.

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 “Medicare Data Access  
5 for Transparency and Accountability Act”.

1 **SEC. 2. PUBLIC AVAILABILITY OF MEDICARE CLAIMS DATA.**

2 (a) IN GENERAL.—Section 1128J of the Social Secu-  
3 rity Act (42 U.S.C. 1320a–7k) is amended by adding at  
4 the end the following new subsection:

5 “(f) PUBLIC AVAILABILITY OF MEDICARE CLAIMS  
6 DATA.—

7 “(1) IN GENERAL.—The Secretary shall, to the  
8 extent consistent with applicable information, pri-  
9 vacy, security, and disclosure laws, including the  
10 regulations promulgated under the Health Insurance  
11 Portability and Accountability Act of 1996 and sec-  
12 tion 552a of title 5, United States Code, make avail-  
13 able to the public claims and payment data of the  
14 Department of Health and Human Services related  
15 to title XVIII, including data on payments made to  
16 any provider of services or supplier under such title.

17 “(2) IMPLEMENTATION.—

18 “(A) IN GENERAL.—Not later than De-  
19 cember 31, 2014, the Secretary shall promul-  
20 gate regulations to carry out this subsection.

21 “(B) REQUIREMENTS.—The regulations  
22 promulgated under subparagraph (A) shall en-  
23 sure that—

24 “(i) the data described in paragraph  
25 (1) is made available to the public through

1 a searchable database that the public can  
2 access at no cost;

3 “(ii) such database—

4 “(I) includes the amount paid to  
5 each provider of services or supplier  
6 under title XVIII, the items or serv-  
7 ices for which such payment was  
8 made, and the location of the provider  
9 of services or supplier;

10 “(II) is organized based on the  
11 specialty or the type of provider of  
12 services or supplier involved;

13 “(III) is searchable based on the  
14 type of items or services furnished;  
15 and

16 “(IV) includes a disclaimer that  
17 the aggregate data in the database  
18 does not reflect on the quality of the  
19 items or services furnished or of the  
20 provider of services or supplier who  
21 furnished the items or services; and

22 “(iii) each provider of services or sup-  
23 plier in the database is identified by a  
24 unique identifier that is available to the  
25 public (such as the National Provider Iden-

1                   tifier of the provider of services or sup-  
2                   plier).

3                   “(C) SCOPE OF DATA.—The database shall  
4                   include data for fiscal year 2014, and each year  
5                   fiscal year thereafter.”.

6           (b) INFORMATION NOT EXEMPT UNDER THE FREE-  
7   DOM OF INFORMATION ACT.—The term “personnel and  
8   medical files and similar files the disclosure of which  
9   would constitute a clearly unwarranted invasion of per-  
10   sonal privacy”, as used in section 552(b)(6) of title 5,  
11   United States Code, does not include the information re-  
12   quired to be made available to the public under section  
13   1128J(f) of the Social Security Act, as added by sub-  
14   section (a).

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