

113TH CONGRESS
2^D SESSION

H. R. 4857

To amend title XVIII of the Social Security Act to modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

Mr. REED (for himself, Mr. ROSKAM, Mr. ROGERS of Michigan, Mr. McDERMOTT, Mr. SCHNEIDER, and Mrs. CAPPS) 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 modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, 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 “Ensuring Equal Access
5 to Treatments Act of 2014”.

1 **SEC. 2. PAYMENT UNDER THE MEDICARE PROGRAM FOR**
2 **OUTPATIENT DEPARTMENT PROCEDURES**
3 **THAT UTILIZE DRUGS AS SUPPLIES.**

4 Section 1833(t)(2)(G) of the Social Security Act (42
5 U.S.C. 1395l(t)(2)(G)) is amended by striking “shall” and
6 all that follows and inserting the following: “shall—

7 “(i) create additional groups of cov-
8 ered OPD services that classify separately
9 those procedures that utilize contrast
10 agents from those that do not;

11 “(ii) create and implement, for serv-
12 ices furnished not later than the date of
13 the enactment of this clause and in a
14 budget neutral manner, additional groups
15 of covered OPD services that classify sepa-
16 rately those procedures that utilize a drug
17 (other than contrast agents and diagnostic
18 radiopharmaceuticals) that both—

19 “(I) has a cost above the drug
20 packaging threshold; and

21 “(II) functions as a supply when
22 used in a diagnostic test or procedure;
23 from those that do not; and”.

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