

118TH CONGRESS
1ST SESSION

H. R. 5388

To amend title XVIII of the Social Security Act to provide coverage of certain technologies and medical devices under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2023

Mr. BALDERSON (for himself and Mr. BUCHANAN) 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

A BILL

To amend title XVIII of the Social Security Act to provide coverage of certain technologies and medical devices under the Medicare program.

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 “Supporting Innovation
5 for Seniors Act”.

1 **SEC. 2. COVERAGE OF CERTAIN TECHNOLOGIES AND MED-**
2 **ICAL DEVICES.**

3 Section 1852(a)(3) of the Social Security Act (42
4 U.S.C. 1395w-22(a)(3) is amended—

5 (1) in subparagraph (A), by striking “subpara-
6 graph (D)” and inserting “subparagraphs (D) and
7 (E)”; and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(E) COVERAGE OF CERTAIN TECH-
11 NOLOGIES AND MEDICAL DEVICES.—

12 “(i) IN GENERAL.—For plan year
13 2025 and subsequent plan years, in addi-
14 tion to any supplemental health care bene-
15 fits otherwise provided under this para-
16 graph, an MA plan, including a specialized
17 MA plan for special needs individuals (as
18 defined in section 1859(b)(6)), may pro-
19 vide the supplemental benefits described in
20 clause (ii).

21 “(ii) SUPPLEMENTAL BENEFITS DE-
22 SCRIBED.—

23 “(I) IN GENERAL.—The supple-
24 mental benefits described in this
25 clause are as follows:

1 “(aa) A medical device or
2 technology that has a national
3 coverage determination or local
4 coverage determination under
5 this title for an indication that is
6 different than the indication for
7 such coverage determination.

8 “(bb) A technology that does
9 not fit into another benefit cat-
10 egory under this title.

11 “(II) AUTHORITY TO WAIVE UNI-
12 FORMITY REQUIREMENTS.—The Sec-
13 retary may, only with respect to sup-
14 plemental benefits provided under this
15 subparagraph, waive the uniformity
16 requirements under this part, as de-
17 termined appropriate by the Sec-
18 retary.”.

○