

116TH CONGRESS  
1ST SESSION

# S. 1544

To amend title XVIII of the Social Security Act to provide for payment for services of radiologist assistants under the Medicare program, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 20, 2019

Mr. BOOZMAN (for himself, Mr. CASEY, Mr. DAINES, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to provide for payment for services of radiologist assistants under the Medicare program, 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 “Medicare Access to  
5 Radiology Care Act of 2019”.

6 **SEC. 2. MEDICARE PAYMENT FOR RADIOLOGIST ASSISTANT**  
7 **SERVICES.**

8 (a) COVERAGE.—Section 1861 of the Social Security  
9 Act (42 U.S.C. 1395x) is amended—

1 (1) in subsection (s)(2)(K)—

2 (A) by striking the semicolon at the end of  
3 clause (ii) and inserting a comma; and

4 (B) by adding at the end the following new  
5 clause:

6 “(iii) radiologist assistant services (as  
7 defined in subsection (kkk)(1));”; and

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

10 “Radiologist Assistant Services; Radiologist Assistant

11 “(kkk)(1) The term ‘radiologist assistant services’  
12 means services—

13 “(A) performed by a radiologist assistant (as  
14 defined in paragraph (2)) under the supervision of  
15 a radiologist as an employee, leased employee, or  
16 independent contractor of the supervising radiolo-  
17 gist; and

18 “(B) which the radiologist assistant is legally  
19 authorized to perform under State law (or the State  
20 regulatory mechanism provided by State law).

21 “(2) The term ‘radiologist assistant’ means a  
22 radiographer who is certified by the American Registry of  
23 Radiologic Technologists as a registered radiologist assist-  
24 ant or by the Certification Board for Radiology Practi-  
25 tioner Assistants as a radiology practitioner assistant to

1 perform radiologic procedures under the supervision of a  
2 radiologist.”.

3 (b) PAYMENT IN RELATION TO PHYSICIAN FEE  
4 SCHEDULE.—

5 (1) PAYMENT LEVEL.—Section 1833(a)(1)(O)  
6 of such Act (42 U.S.C. 1395l(a)(1)(O)) is amended  
7 by inserting “, or radiologist assistant services”  
8 after “or clinic nurse specialists”.

9 (2) APPLICATION OF FEE SCHEDULE IN HOS-  
10 PITAL, AMBULATORY SURGICAL CENTER SET-  
11 TINGS.—Section 1848(a) of such Act (42 U.S.C.  
12 1395w-4(a)) is amended by adding at the end the  
13 following new paragraph:

14 “(10) APPLICATION OF FEE SCHEDULE FOR  
15 RADIOLOGIST ASSISTANT SERVICES IN HOSPITAL,  
16 AMBULATORY SURGICAL CENTER SETTINGS.—

17 “(A) IN GENERAL.—In the case of radiolo-  
18 gist assistant services (as defined in section  
19 1861(kkk)(1)) furnished in a facility setting (as  
20 defined in subparagraph (B)), payment for such  
21 services furnished in such setting shall be made  
22 to the supervising radiologist in an amount de-  
23 termined pursuant to section 1833(a)(1)(O).

1           “(B) FACILITY SETTING DEFINED.—In  
2           this paragraph, the term ‘facility setting’  
3           means—

4                   “(i) a hospital or critical access hos-  
5                   pital;

6                   “(ii) an ambulatory surgical center;  
7                   and

8                   “(iii) such other providers of services  
9                   as the Secretary may specify.”.

10           (3) PAYMENT TO SUPERVISING RADIOLOGIST.—

11           The first sentence of section 1842(b)(6) of such Act  
12           (42 U.S.C. 1395u(b)(6)) is amended—

13                   (A) by striking “and” before “(J)”; and

14                   (B) by inserting before the period at the  
15                   end the following: “, and (K) in the case of  
16                   services described in clause (iii) of section  
17                   1861(s)(2)(K) (relating to radiologist assistant  
18                   services), payment shall be made to the super-  
19                   vising radiologist”.

20           (4) RULES OF CONSTRUCTION.—Nothing in

21           this section, or the amendments made by this sec-  
22           tion, shall be construed as affecting—

23                   (A) coverage of and payment for the tech-  
24                   nical component (including the technical compo-  
25                   nent of a global fee) with respect to imaging

1 services under title XVIII of the Social Security  
2 Act (42 U.S.C. 1395 et seq.) as in effect before  
3 the date of the enactment of this Act;

4 (B) the amount of payment made for phy-  
5 sicians' services under such title when furnished  
6 solely by a radiologist; or

7 (C) the amount of payment made under  
8 such title for services furnished by a hospital,  
9 critical access hospital, ambulatory surgical cen-  
10 ter, or any other facility setting specified by the  
11 Secretary under section 1848(a)(10)(B)(iii) of  
12 the Social Security Act (as added by paragraph  
13 (3)), as the case may be.

14 (c) EFFECTIVE DATE.—The amendments made by  
15 this section shall apply to services furnished on or after  
16 January 1, 2020.

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