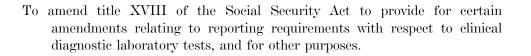
[DISCUSSION DRAFT]

H.R.

116TH CONGRESS 1ST SESSION



IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the Committee on _____

A BILL

- To amend title XVIII of the Social Security Act to provide for certain amendments relating to reporting requirements with respect to clinical diagnostic laboratory tests, 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 **[**"_____ Act
- 5 of 2019"].

[Discussion Draft]

	2
1	SEC. 2. AMENDMENTS RELATING TO REPORTING REQUIRE-
2	MENTS WITH RESPECT TO CLINICAL DIAG-
3	NOSTIC LABORATORY TESTS.
4	(a) Revised Reporting Period for Reporting
5	OF PRIVATE SECTOR PAYMENT RATES FOR ESTABLISH-
6	MENT OF MEDICARE PAYMENT RATES.—Section
7	1834A(a) of the Social Security Act (42 U.S.C. 1395m-
8	1(a)) is amended—
9	(1) in paragraph (1) —
10	(A) by striking "Beginning January 1,
11	2016" and inserting the following:
12	"(A) GENERAL REPORTING REQUIRE-
13	MENTS.—Subject to subparagraph (B), begin-
14	ning January 1, 2016"; and
15	(B) by adding at the end the following:
16	"(B) REVISED REPORTING PERIOD.—In
17	the case of reporting with respect to clinical di-
18	agnostic laboratory tests that are not advanced
19	diagnostic laboratory tests, the Secretary shall
20	revise the reporting period under subparagraph
21	(A) such that—
22	"(i) no reporting is required during
23	the period beginning January 1, 2020, and
24	ending January 1, 2021;

[Discussion Draft]

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1	"(ii) reporting is required during the
2	period beginning January 1, 2021, and
3	ending March 31, 2021; and
4	"(iii) reporting is required every three
5	years after the period described in clause
6	(ii)."; and
7	(2) in paragraph (4)—
8	(A) by striking "In this section" and in-
9	serting the following:
10	"(A) IN GENERAL.—Subject to subpara-
11	graph (B), in this section"; and
12	(B) by adding at the end the following:
13	"(B) EXCEPTION.—In the case of report-
14	ing during the period described in paragraph
15	(1)(B)(ii) with respect to clinical diagnostic lab-
16	oratory tests that are not advanced diagnostic
17	laboratory tests, the term 'data collection pe-
18	riod' means the period beginning January 1,
19	2019, and ending June 30, 2019.".
20	(b) Corrections Relating to Phase-In of Re-
21	DUCTIONS FROM PRIVATE PAYOR RATE IMPLEMENTA-
22	TION.—Section 1834A(b)(3) of the Social Security Act
23	(42 U.S.C. 1395m–1(b)(3)) is amended—
24	(1) in subparagraph (A), by striking "through
25	2022" and inserting "through 2023"; and

4

16 methodology the Administrator has implemented for the
17 private payor rate-based clinical laboratory fee schedule
18 under the Medicare program under title XVIII of the So19 cial Security Act (42 U.S.C. 1395 et seq.).
20 (b) SCOPE OF STUDY.—In carrying out the study de-

"National Academies") to conduct a study to review the

20 (b) SCOPE OF STUDY.—In carrying out the study de21 scribed in subsection (a), the National Academies shall
22 consider the following:

(1) How best to implement the least burden-some data collection process required under section

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[Discussion Draft]

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1 1834A(a)(1) of such Act (42 U.S.C. 1395m-1(a)(1))

2 that would—

3 (A) result in a representative and statis4 tically valid data sample of private market rates
5 from all laboratory market segments, including
6 hospital outreach laboratories, physician office
7 laboratories, and independent laboratories; and
8 (B) consider the variability of market seg9 ments by laboratory procedure code.

10 (2) Appropriate statistical methods for esti-11 mating rates that are representative of the market. 12 (c) REPORT TO CONGRESS.—Not later than the date that is 18 months after the Administrator enters into the 13 14 agreement described in subsection (a) with the National 15 Academies, the National Academies shall submit to the Administrator, the Committee on Finance of the Senate, 16 17 and the Committees on Ways and Means and Energy and Commerce of the House of Representatives a report that 18 19 includes-

20 (1) conclusions about the methodology de-21 scribed in such subsection; and

(2) recommendations on ways to improve suchmethodology.