

Federal Acupuncture Coverage Act of 2005 (Introduced in House)

HR 818 IH

109th CONGRESS

1st Session

H. R. 818

To amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the Medicare Program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program.

IN THE HOUSE OF REPRESENTATIVES

February 15, 2005

Mr. HINCHEY (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. CONYERS, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KILDEE, Mr. KUCINICH, Mr. LANTOS, Mrs. MCCARTHY, Mr. MCNULTY, Mr. GARY G. MILLER of California, Mr. NADLER, Mr. ROYCE, Mr. SANDERS, Mr. SCHIFF, Mr. TOWNS, Mr. WAXMAN, Mr. WOLF, Ms. WOOLSEY, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means and Government Reform, 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 for coverage of qualified acupuncturist services under part B of the Medicare Program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Federal Acupuncture Coverage Act of 2005'.

SEC. 2. COVERAGE OF ACUPUNCTURIST SERVICES UNDER MEDICARE.

(a) In General- Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended--

- (1) by striking `and' at the end of subparagraph (Y);
- (2) by inserting `and' at the end of subparagraph (Z); and
- (3) by adding at the end the following new subparagraph:
` (AA) qualified acupuncturist services (as defined in subsection (bbb));
and'.

(b) Services Described- Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by adding at the end the following new subsection:

`Qualified Acupuncturist Services

`(bbb)(1) The term `qualified acupuncturist services' means such services furnished by a qualified acupuncturist (as defined in paragraph (2)) and such services and supplies furnished as an incident to services furnished by the qualified acupuncturist which the qualified acupuncturist is legally authorized to perform under State law (or the State regulatory mechanism provided by State law).

`(2) The term `qualified acupuncturist' means an individual who has been certified, licensed, or registered as an acupuncturist by a State (or the State regulatory mechanism provided by State law).'

(c) Payment Rules-

(1) DETERMINATION OF AMOUNT OF PAYMENT- Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended--

- (A) by striking `and' before `(V)'; and
- (B) by inserting before the semicolon at the end the following: `, and (W) with respect to qualified acupuncturist services described in section 1861(s)(2)(AA), the amounts paid shall be the amount determined by a fee schedule established by the Secretary for purposes of this clause (but in no event shall such amount exceed the fee schedule amount provided under section 1848 for the same service performed by a physician)';.

(2) SEPARATE PAYMENT FOR SERVICES OF INSTITUTIONAL PROVIDERS- Section 1833(a)(2)(B) of such Act (42 U.S.C.

1395l(a)(2)(B)) is amended, in clauses (i) and (ii), by inserting `and in the case of qualified acupuncturist services furnished at any time' after `1999,' each place it appears.

(d) Effective Date- The amendments made by this section apply to services furnished on or after January 1, 2006.

SEC. 3. COVERAGE OF ACUPUNCTURIST SERVICES UNDER FEDERAL EMPLOYEES HEALTH BENEFIT PLANS.

(a) In General- Section 8902(k)(1) of title 5, United States Code, is amended by inserting `acupuncturist,' after `nurse midwife,' each place it appears.

(b) Effective Date- The amendment made by subsection (a) applies with respect to services provided on or after January 1, 2006.