

112TH CONGRESS
1ST SESSION

H. R. 3032

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2011

Mr. REICHERT (for himself, Mr. OLSON, Mr. PASCRELL, and Mr. MATHESON) 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 provide for payment for services of qualified radiologist assistants 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 “Medicare Access to
5 Radiology Care Act of 2011”.

1 **SEC. 2. MEDICARE PAYMENT FOR QUALIFIED RADIOLOGIST**
2 **ASSISTANT SERVICES.**

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

5 (1) in subsection (s)(2)(K)—

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

8 (B) by adding at the end the following new
9 clause:

10 “(iii) qualified radiologist assistant services (as
11 defined in subsection (iii)(1)),”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “Qualified Radiologist Assistant Services; Qualified
15 Radiologist Assistant

16 “(iii)(1) The term ‘qualified radiologist assistant
17 services’ means services—

18 “(A) performed by a qualified radiologist assist-
19 ant (as defined in paragraph (2)) as an employee,
20 leased employee, or independent contractor of the
21 supervising radiologist under the supervision (as de-
22 termined by State law) of a radiologist; and

23 “(B) which the radiologist assistant is legally
24 authorized to perform under State law (or the State
25 regulatory mechanism provided by State law).

1 “(2) The term ‘qualified radiologist assistant’ means
2 a radiographer who is certified by the American Registry
3 of Radiologic Technologists as a registered radiologist as-
4 sistant or by the Certification Board for Radiology Practi-
5 tioner Assistants as a radiology practitioner assistant to
6 perform radiologic procedures under the supervision (as
7 determined by State law) of a radiologist.”.

8 (b) PAYMENT IN RELATION TO PHYSICIAN FEE
9 SCHEDULE.—

10 (1) PAYMENT LEVEL.—Section 1833(a)(1)(O)
11 of such Act (42 U.S.C. 1395l(a)(1)(O)) is amended
12 by inserting “or qualified radiologist assistant serv-
13 ices” after “or clinic nurse specialists”.

14 (2) PAYMENT TO SUPERVISING RADIOLOGIST.—
15 The first sentence of section 1842(b)(6) of such Act
16 (42 U.S.C. 1395u(b)(6)) is amended—

17 (A) by striking “and” before “(H)”; and

18 (B) by inserting before the period at the
19 end the following: “, and (I) in the case of
20 qualified radiologist assistant services, the pay-
21 ment shall be made to the supervising radiolo-
22 gist”.

23 (3) RULES OF CONSTRUCTION.—Nothing in
24 this section, or the amendments made by this sec-
25 tion, shall be construed as affecting—

1 (A) coverage of and payment for the tech-
2 nical component (including the technical compo-
3 nent of a global fee) with respect to imaging
4 services under title XVIII of the Social Security
5 Act (42 U.S.C. 1395 et seq.) as in effect before
6 the date of the enactment of this Act; or

7 (B) the amount of payment made for phy-
8 sicians' services under such title when furnished
9 solely by a radiologist.

10 (c) REVIEW AND REPORT.—The Secretary of Health
11 and Human Services shall conduct a review of the effect
12 of the amendments made by this section on patient satis-
13 faction and on the clinical and operational effectiveness
14 of the use of radiologist assistants pursuant to such
15 amendments, and shall submit to Congress not later than
16 January 1, 2016, a report to Congress on such review.

17 (d) EFFECTIVE DATE.—The amendments made by
18 this section shall apply to services furnished on or after
19 January 1, 2012.

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