

117TH CONGRESS
1ST SESSION

S. 2641

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.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2021

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

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 2021”.

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

3 (a) IN GENERAL.—Section 1834 of the Social Secu-
 4 rity Act (42 U.S.C. 1395m) is amended by adding at the
 5 end the following new subsection:

6 “(z) PAYMENT FOR CERTAIN RADIOLOGIST ASSIST-
 7 ANT SERVICES.—

8 “(1) PAYMENT.—

9 “(A) IN GENERAL.—In the case of radiolo-
 10 gist assistant services (as defined in subpara-
 11 graph (B)) furnished on or after January 1,
 12 2022, for which payment is made under the fee
 13 schedules established under section 1848, the
 14 amount of payment for such services shall equal
 15 85 percent of the amount determined under
 16 section 1848 for such services when furnished
 17 by a radiologist.

18 “(B) DEFINITIONS.—In this subsection:

19 “(i) RADIOLOGIST ASSISTANT SERV-
 20 ICES.—The term ‘radiologist assistant
 21 services’ means services furnished as an in-
 22 cident to a radiologists’ professional serv-
 23 ice—

24 “(I) performed by a radiologist
 25 assistant (as defined in clause (ii))
 26 under the supervision of a radiologist

1 as an employee of, a leased employee
2 of, or an independent contractor of
3 the supervising radiologist; and

4 “(II) which the radiologist assist-
5 ant is legally authorized to perform
6 under State law (or the State regu-
7 latory mechanism provided by State
8 law).

9 “(ii) RADIOLOGIST ASSISTANT.—The
10 term ‘radiologist assistant’ means a
11 radiographer who is certified by the Amer-
12 ican Registry of Radiologic Technologists
13 as a registered radiologist assistant or by
14 the Certification Board for Radiology
15 Practitioner Assistants as a radiology prac-
16 titioner assistant to perform radiologic pro-
17 cedures under the supervision of a radiolo-
18 gist.

19 “(2) PAYMENT IN FACILITY SETTINGS.—

20 “(A) IN GENERAL.—The Secretary shall
21 provide for payment for radiologist assistant
22 services in a facility setting furnished on or
23 after January 1, 2022. Payment shall be made
24 to the supervising radiologist.

1 “(B) PAYMENT AMOUNT.—The amount of
 2 payment for radiologist assistant services fur-
 3 nished in a facility setting shall be the amount
 4 determined under paragraph (1).

5 “(C) FACILITY SETTING DEFINED.—In
 6 this paragraph, the term ‘facility setting’
 7 means—

8 “(i) a hospital or critical access hos-
 9 pital;

10 “(ii) an ambulatory surgical center;
 11 and

12 “(iii) such other providers of services
 13 as the Secretary may specify.

14 “(3) RULES OF CONSTRUCTION.—Nothing in
 15 this subsection shall be construed as affecting—

16 “(A) coverage of and payment for the tech-
 17 nical component (including the technical compo-
 18 nent of a global fee) with respect to imaging
 19 services under this title as in effect before the
 20 date of the enactment of this Act;

21 “(B) the amount of payment made for ra-
 22 diologists’ services under this title when fur-
 23 nished solely by a radiologist; or

24 “(C) the amount of payment made under
 25 this title for services furnished by a hospital,

1 critical access hospital, ambulatory surgical cen-
2 ter, or any other facility setting specified by the
3 Secretary under paragraph (2)(C)(iii), as the
4 case may be.”.

5 (b) CONFORMING AMENDMENT FOR PAYMENT TO
6 SUPERVISING RADIOLOGIST.—The first sentence of sec-
7 tion 1842(b)(6) of such Act (42 U.S.C. 1395u(b)(6)) is
8 amended—

9 (1) by striking “and” before “(J)”; and

10 (2) by inserting before the period at the end the
11 following: “, and (K) in the case of radiologist as-
12 sistant services (as defined in section
13 1834(z)(1)(B)(i)), payment shall be made to the su-
14 pervising radiologist”.

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