

118TH CONGRESS
2D SESSION

H. R. 9417

To amend titles XVIII and XIX of the Social Security Act and title XXVII of the Public Health Service Act to provide no-cost coverage for annual screening mammography beginning at 30 years of age.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 27, 2024

Mr. LAWLER (for himself and Mr. WILLIAMS of New York) 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 titles XVIII and XIX of the Social Security Act and title XXVII of the Public Health Service Act to provide no-cost coverage for annual screening mammography beginning at 30 years of age.

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 “Early Access to
5 Screening Act”.

1 **SEC. 2. NO-COST COVERAGE OF ANNUAL SCREENING MAM-**
2 **MOGRAPHY BEGINNING AT 30 YEARS OF AGE.**

3 (a) COVERAGE UNDER MEDICARE.—

4 (1) IN GENERAL.—Section 1834(c) of the So-
5 cial Security Act (42 U.S.C. 1395m(c)) is amend-
6 ed—

7 (A) in paragraph (1)(A), by inserting “or
8 (3)” after “paragraph (2)”;

9 (B) in paragraph (2)—

10 (i) by striking the paragraph heading
11 and inserting “FREQUENCY COVERED BE-
12 FORE JANUARY 1, 2025”; and

13 (ii) in subparagraph (A), by striking
14 “Subject” and inserting “With respect to
15 screening mammography performed before
16 January 1, 2025, subject”; and

17 (C) by adding at the end the following new
18 paragraph:

19 “(3) FREQUENCY COVERED ON OR AFTER JAN-
20 UARY 1, 2025.—With respect to screening mammog-
21 raphy performed on or after January 1, 2025—

22 “(A) no payment may be made under this
23 part for screening mammography performed on
24 a woman under 30 years of age; and

25 “(B) in the case of a woman over 29 years
26 of age, payment may not be made under this

1 part for screening mammography performed
2 within 11 months following the month in which
3 a previous screening mammography was per-
4 formed.”.

5 (2) PROHIBITION OF COST SHARING.—Section
6 1833(a)(1) of the Social Security Act (42 U.S.C.
7 1395l(a)(1)) is amended—

8 (A) in subparagraph (Y), by inserting after
9 “in the case of such services described in sub-
10 paragraph (A)” the following: “(other than
11 screening mammography (as defined in section
12 1861(jj)) performed on or after January 1,
13 2025)”;

14 (B) in subparagraph (GG), by striking
15 “and” at the end; and

16 (C) by inserting before the semicolon at
17 the end the following: “, and (II) with respect
18 to screening mammography (as defined in sec-
19 tion 1861(jj)) performed on or after January 1,
20 2025, the amounts paid shall be shall be 100
21 percent of the lesser of the actual charge for
22 the services or the amount determined under
23 the fee schedule that applies to such services
24 under this part”.

1 (3) CONFORMING AMENDMENT.—Section
 2 1862(a)(1)(F) is amended by striking “section
 3 1834(c)(2)” and inserting “section 1834(c)”.

4 (b) COVERAGE UNDER MEDICAID.—

5 (1) MANDATORY COVERAGE.—

6 (A) IN GENERAL.—Section 1902(a)(10)(A)
 7 of the Social Security Act (42 U.S.C.
 8 1396a(a)(10)(A)) is amended by inserting
 9 “(13)(D),” before “(17),”.

10 (B) MEDICALLY NEEDY.—Section
 11 1902(a)(10)(C)(iv) of the Social Security Act
 12 (42 U.S.C. 1396a(a)(10)(C)(iv)) is amended by
 13 inserting “(13)(D),” before “and (17)”.

14 (C) ALTERNATIVE BENEFIT PLANS.—Sec-
 15 tion 1937(b) of the Social Security Act (42
 16 U.S.C. 1396u–7(b)) is amended by adding at
 17 the end the following new paragraph:

18 “(9) ANNUAL SCREENING MAMMOGRAPHY.—
 19 Notwithstanding the previous provisions of this sec-
 20 tion, a State may not provide for medical assistance
 21 through enrollment of an individual with benchmark
 22 coverage or benchmark-equivalent coverage under
 23 this section unless, beginning on January 1, 2025,
 24 for any individual over age 29, such coverage in-
 25 cludes (and does not impose any deduction, cost

1 sharing, or similar charge for) annual screening
2 mammography described in section
3 1905(a)(13)(D).”.

4 (2) INCLUSION UNDER DIAGNOSTIC, SCREEN-
5 ING, PREVENTIVE, AND REHABILITATIVE SERV-
6 ICES.—Section 1905(a)(13) of the Social Security
7 Act (42 U.S.C. 1396d(a)(13)) is amended—

8 (A) in subparagraph (B), by striking
9 “and” at the end;

10 (B) in subparagraph (C), by adding “and”
11 at the end; and

12 (C) by adding at the end the following new
13 subparagraph:

14 “(D) beginning January 1, 2025, for indi-
15 viduals over age 29, annual screening mammog-
16 raphy;”.

17 (3) PROHIBITION OF COST SHARING.—

18 (A) IN GENERAL.—Section 1916 of the So-
19 cial Security Act (42 U.S.C. 1396o) is amend-
20 ed—

21 (i) in subsection (a)(2)—

22 (I) in subparagraph (I), by strik-
23 ing “or” at the end;

1 (II) in subparagraph (J), by
 2 striking “; and” at the end and in-
 3 serting “, or”; and

4 (III) by adding at the end the
 5 following new subparagraph:

6 “(K) beginning January 1, 2025, annual
 7 screening mammography described in section
 8 1905(a)(13)(D); and”;

9 (ii) in subsection (b)(2)—

10 (I) in subparagraph (I), by strik-
 11 ing “or” at the end;

12 (II) in subparagraph (J), by
 13 striking “; and” at the end and in-
 14 serting “, or”; and

15 (III) by adding at the end the
 16 following new subparagraph:

17 “(K) beginning January 1, 2025, annual
 18 screening mammography described in section
 19 1905(a)(13)(D); and”.

20 (B) APPLICATION TO ALTERNATIVE COST
 21 SHARING.—Section 1916A(b)(3)(B) of the So-
 22 cial Security Act (42 U.S.C. 1396o–1(b)(3)(B))
 23 is amended by adding at the end the following
 24 new clause:

1 “(xv) Beginning January 1, 2025, an-
 2 nual screening mammography described in
 3 section 1905(a)(13)(D).”.

4 (c) COVERAGE UNDER GROUP HEALTH PLANS AND
 5 GROUP AND INDIVIDUAL HEALTH INSURANCE.—

6 (1) IN GENERAL.—Section 2713(a) of the Pub-
 7 lic Health Service Act (42 U.S.C. 300gg–13(a)) is
 8 amended—

9 (A) in paragraph (2), by striking at the
 10 end “and”;

11 (B) in paragraph (3), by striking at the
 12 end the period and inserting “; and”; and

13 (C) in paragraph (4)—

14 (i) by striking at the end the period
 15 and inserting “; and”;

16 (ii) by striking “women, such” and in-
 17 serting “women—

18 “(A) such”; and

19 (iii) by adding at the end the fol-
 20 lowing new subparagraph:

21 “(B) in the case of a woman over 29 years
 22 of age, annual mammography screening.”.

1 (2) EFFECTIVE DATE.—The amendments made
2 by this subsection shall apply to plan years begin-
3 ning on or after January 1, 2025.

○