

104TH CONGRESS
1ST SESSION

H. R. 2247

To amend title XVIII of the Social Security Act to provide for coverage under part B of the medicare program of medical nutrition therapy services of registered dietitians and nutrition professionals.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 1995

Mr. SERRANO introduced the following bill; which was referred to the Committee on 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 coverage under part B of the medicare program of medical nutrition therapy services of registered dietitians and nutrition professionals.

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 “Medical Nutrition
5 Therapy Act of 1995”.

1 **SEC. 2. MEDICARE COVERAGE OF MEDICAL NUTRITION**
2 **THERAPY SERVICES.**

3 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-
4 curity Act (42 U.S.C. 1395x(s)(2)), as amended by section
5 147(f)(6)(B)(iii) of the Social Security Act Amendments
6 of 1994, is amended—

7 (1) by striking “and” at the end of subpara-
8 graph (N); and

9 (2) by inserting after subparagraph (O) the fol-
10 lowing new subparagraph:

11 “(P) medical nutrition therapy services (as de-
12 fined in subsection (oo));”.

13 (b) **SERVICES DESCRIBED.**—Section 1861 of such
14 Act (42 U.S.C. 1395x) is amended by adding at the end
15 the following new subsection:

16 “Medical Nutrition Therapy Services
17 “(oo) The term ‘medical nutrition therapy services’
18 means nutritional diagnostic, therapy, and counseling
19 services which are furnished by or under the supervision
20 of a registered dietitian or nutrition professional who is
21 legally authorized to furnish such services under State law
22 (or the State regulatory mechanism provided by State law)
23 of the State in which the services are furnished, as would
24 otherwise be covered if furnished by a physician or as an
25 incident to a physician’s professional service.”.

1 (c) PAYMENT.—Section 1833(a)(1) of such Act (42
2 U.S.C. 1395l(a)(1)) is amended—

3 (1) by striking “and (P)” and inserting “(P)”;

4 and

5 (2) by striking the semicolon at the end and in-
6 sserting the following: “, and (Q) with respect to
7 medical nutrition therapy services (as defined in sec-
8 tion 1861(oo)), the amount paid shall be 80 percent
9 of the lesser of the actual charge for the services or
10 the amount determined by a fee schedule established
11 by the Secretary for the purposes of this subpara-
12 graph;”.

13 **SEC. 3. EFFECTIVE DATE.**

14 The amendments made by section 2 shall apply to
15 services furnished on or after January 1, 1996.

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