

104TH CONGRESS
2D SESSION

S. 1964

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 SENATE OF THE UNITED STATES

JULY 17, 1996

Mr. BINGAMAN (for himself and Mr. HOLLINGS) 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 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 1996”.

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)) is amended—

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

7 (2) by inserting after subparagraph (O) the fol-
8 lowing new subparagraph:

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

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

14 “Medical Nutrition Therapy Services

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

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

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

2 and

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

11 **SEC. 3. EFFECTIVE DATE.**

12 The amendments made by section 2 shall apply to
13 services furnished on or after January 1, 1997.

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