

106TH CONGRESS  
1ST SESSION

# H. R. 1890

To amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the Medicare Program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1999

Mr. HINCHEY (for himself, Mr. FILNER, Mr. ROHRABACHER, Mr. FROST, Ms. PELOSI, and Ms. KILPATRICK) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Government Reform, 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

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## A BILL

To amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the Medicare Program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Acupuncture  
3 Coverage Act of 1999”.

4 **SEC. 2. COVERAGE OF ACUPUNCTURIST SERVICES UNDER**  
5 **MEDICARE.**

6 (a) IN GENERAL.—Section 1861(s)(2) of the Social  
7 Security Act (42 U.S.C. 1395x(s)(2)) is amended—

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

10 (2) by striking the period at the end of sub-  
11 paragraph (T) and inserting “; and”; and

12 (3) by adding at the end the following new sub-  
13 paragraph:

14 “(U) qualified acupuncturist services (as de-  
15 fined in subsection (uu)); and”.

16 (b) PAYMENT RULES.—

17 (1) DETERMINATION OF AMOUNT OF PAY-  
18 MENT.—Section 1833(a)(1) of such Act (42 U.S.C.  
19 1395l(a)(1)) is amended—

20 (A) by striking “and” before “(S)”, and

21 (B) by striking the semicolon at the end  
22 and inserting the following: “, and (T) with re-  
23 spect to qualified acupuncturist services de-  
24 scribed in section 1861(s)(2)(U), the amounts  
25 paid shall be the amount determined by a fee  
26 schedule established by the Secretary for pur-

1           poses of this clause (but in no event shall such  
2           amount exceed the fee schedule amount pro-  
3           vided under section 1848 for the same service  
4           performed by a physician);”.

5           (2) SEPARATE PAYMENT FOR SERVICES OF IN-  
6           STITUTIONAL PROVIDERS.—Section 1832(a)(2)(B)  
7           of such Act (42 U.S.C. 1395k(a)(2)(B)) is amended,  
8           in clauses (i) and (ii), by inserting “and in the case  
9           of qualified acupuncturist services furnished at any  
10          time” after “1999,” each place it appears.

11          (c) 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                   “Qualified Acupuncturist Services  
15          “(uu)(1) The term ‘qualified acupuncturist services’  
16          means such services furnished by a qualified acupuncturist  
17          (as defined in paragraph (2)) and such services and sup-  
18          plies furnished as an incident to services furnished by the  
19          qualified acupuncturist which the qualified acupuncturist  
20          is legally authorized to perform under State law (or the  
21          State regulatory mechanism provided by State law).

22          “(2) The term ‘qualified acupuncturist’ means an in-  
23          dividual who has been certified, licensed, or registered as  
24          an acupuncturist by a State (or the State regulatory  
25          mechanism provided by State law).”.

1 (d) EFFECTIVE DATE.—The amendments made by  
2 this section apply to services furnished on or after Janu-  
3 ary 1, 2000.

4 **SEC. 3. COVERAGE OF ACUPUNCTURIST SERVICES UNDER**  
5 **FEDERAL EMPLOYEES HEALTH BENEFIT**  
6 **PLANS.**

7 (a) IN GENERAL.—Section 8902(k)(1) of title 5,  
8 United States Code, is amended by inserting  
9 “acupuncturist,” after “nurse midwife,” each place it ap-  
10 pears.

11 (b) EFFECTIVE DATE.—The amendment made by  
12 subsection (a) applies with respect to services provided  
13 after December 31, 1999.

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