

108TH CONGRESS  
2D SESSION

# H. R. 4257

To amend title XVIII of the Social Security Act to clarify payment for clinical laboratory tests furnished by critical access hospitals under the Medicare Program.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2004

Mr. OTTER (for himself, Mr. OBERSTAR, Mr. SIMPSON, Mr. PETERSON of Minnesota, Mr. KILDEE, Mr. MARSHALL, Mr. POMEROY, Mr. PAUL, Mr. ROSS, Mr. MCHUGH, Ms. SCHAKOWSKY, Mr. KENNEDY of Minnesota, Mr. BEREUTER, and Mr. NETHERCUTT) 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

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## A BILL

To amend title XVIII of the Social Security Act to clarify payment for clinical laboratory tests furnished by critical access hospitals under the Medicare Program.

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 “Critical Access to Clin-  
5 ical Lab Services Act of 2004”.

1 **SEC. 2. CLARIFICATION OF PAYMENT FOR CLINICAL LAB-**  
2 **ORATORY TESTS FURNISHED BY CRITICAL**  
3 **ACCESS HOSPITALS.**

4 (a) IN GENERAL.—Section 1834(g)(4) of the Social  
5 Security Act (42 U.S.C. 1395m(g)(4)) is amended—

6 (1) in the heading, by striking “NO BENE-  
7 FICIARY COST-SHARING FOR” and inserting “TREAT-  
8 MENT OF”; and

9 (2) by adding at the end the following: “For  
10 purposes of the preceding sentence and section  
11 1861(mm)(3), clinical diagnostic laboratory services  
12 furnished by a critical access hospital shall be treat-  
13 ed as being furnished as part of outpatient critical  
14 access services without regard to whether—

15 “(A) the individual with respect to whom  
16 such services are furnished is physically present  
17 in the critical access hospital at the time the  
18 specimen is collected;

19 “(B) such individual is registered as an  
20 outpatient on the records of, and receives such  
21 services directly from, the critical access hos-  
22 pital; or

23 “(C) payment is (or, but for this sub-  
24 section, would be) available for such services  
25 under the fee schedule established under section  
26 1833(h).”.

1           (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) shall apply to cost reporting periods begin-  
3 ning on or after October 1, 2003.

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