

108TH CONGRESS  
1ST SESSION

# S. 632

To amend title XVIII of the Social Security Act to expand coverage of medical nutrition services under the medicare program for beneficiaries with cardiovascular disease.

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## IN THE SENATE OF THE UNITED STATES

MARCH 17, 2003

Mr. CRAIG (for himself, Mr. BINGAMAN, Mr. WARNER, Ms. COLLINS, Mr. SARBANES, and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to expand coverage of medical nutrition services under the medicare program for beneficiaries with cardiovascular disease.

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 “Medicare Medical Nu-  
5 trition Therapy Amendment Act of 2003”.

1 **SEC. 2. COVERAGE OF MEDICAL NUTRITION THERAPY**  
2 **SERVICES FOR BENEFICIARIES WITH CAR-**  
3 **DIOVASCULAR DISEASES.**

4 (a) IN GENERAL.—Section 1861(s)(2)(V) of the So-  
5 cial Security Act (42 U.S.C. 1395x(s)(2)(V)) is amended  
6 to read as follows:

7 “(V) medical nutrition therapy services (as de-  
8 fined in subsection (vv)(1)) in the case of a bene-  
9 ficiary—

10 “(i) with a cardiovascular disease (includ-  
11 ing congestive heart failure, arteriosclerosis,  
12 hyperlipidemia, hypertension, and hypercholes-  
13 terolemia), diabetes, or a renal disease (or a  
14 combination of such conditions) who—

15 “(I) has not received diabetes out-  
16 patient self-management training services  
17 within a time period determined by the  
18 Secretary;

19 “(II) is not receiving maintenance di-  
20 alysis for which payment is made under  
21 section 1881; and

22 “(III) meets such other criteria deter-  
23 mined by the Secretary after consideration  
24 of protocols established by dietitian or nu-  
25 trition professional organizations; or

1           “(ii) with a combination of such conditions  
2           who—

3                   “(I) is not described in clause (i) be-  
4                   cause of the application of subclause (I) or  
5                   (II) of such clause;

6                   “(II) receives such medical nutrition  
7                   therapy services in a coordinated manner  
8                   (as determined appropriate by the Sec-  
9                   retary) with any services described in such  
10                  subclauses that the beneficiary is receiving;  
11                  and

12                  “(III) meets such other criteria deter-  
13                  mined by the Secretary after consideration  
14                  of protocols established by dietitian or nu-  
15                  trition professional organizations;

16                  for such number of hours as the Secretary may  
17                  specify, except that, in the case of a beneficiary with  
18                  a cardiovascular disease, such number may not ex-  
19                  ceed 3 hours in a year without a determination of  
20                  a physician that additional hours are medically nec-  
21                  essary in that year due to a change in medical condi-  
22                  tion, diagnosis, or treatment regime of the patient;”.

1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall apply with respect to services fur-  
3 nished on or after the date of the enactment of this Act.

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