

110TH CONGRESS  
1ST SESSION

# H. R. 4055

To amend title XVIII of the Social Security Act to provide for Medicare coverage of screening tests for human papillomavirus (HPV).

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2007

Ms. DELAURO (for herself and Ms. SCHWARTZ) 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 provide for Medicare coverage of screening tests for human papillomavirus (HPV).

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 Cervical Can-  
5 cer Screening and Detection Coverage Act of 2007”.

1 **SEC. 2. MEDICARE COVERAGE OF SCREENING TESTS FOR**  
2 **HUMAN PAPILOMAVIRUS (HPV).**

3 (a) IN GENERAL.—Section 1861 of the Social Secu-  
4 rity Act (42 U.S.C. 1395x) is amended—

5 (1) in subsection (s)(14), by striking “smear  
6 and screening pelvic exam” and inserting “test,  
7 screening pelvic exam, and screening HPV test”;  
8 and

9 (2) in subsection (nn)—

10 (A) in the heading, by striking “SMEAR;  
11 SCREENING PELVIC EXAM” and inserting  
12 “TEST; SCREENING PELVIC EXAM; SCREENING  
13 HPV TEST”;

14 (B) in paragraph (1), by striking “smear”  
15 and inserting “test”;

16 (C) in paragraphs (1) and (2), by striking  
17 “paragraph (3)” and inserting “paragraph  
18 (4)”;

19 (D) by redesignating paragraph (3) as  
20 paragraph (4); and

21 (E) by inserting after paragraph (2) the  
22 following new paragraph:

23 “(3)(A) The term ‘screening HPV test’ means a mo-  
24 lecular laboratory test for detecting the presence of high-  
25 risk human papillomavirus when administered in conjunc-  
26 tion with a Pap test if, subject to subparagraph (B), the

1 woman involved has not had such a test during the pre-  
2 ceding 3 years or during the preceding year in the case  
3 of a woman described in paragraph (4).

4 “(B) With respect to coverage of screening HPV  
5 tests—

6 “(i) the Secretary, in consultation with organi-  
7 zations with expertise in cytopathology, gynecology,  
8 and women’s health, shall review the evidence basis  
9 and clinical guidelines for the appropriate frequency,  
10 age, and such other factors pertinent to such screen-  
11 ing HPV tests; and

12 “(ii) the Secretary, based upon the review con-  
13 ducted under clause (i) and in consultation with the  
14 organizations referred to in clause (i), may revise  
15 from time to time the criteria applied under sub-  
16 paragraph (A) for the coverage of screening HPV  
17 tests.”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) INCLUSION IN REFERRALS AS PART OF INI-  
20 TIAL PREVENTIVE PHYSICAL EXAMINATION.—Sec-  
21 tion 1861(w)(2)(C) of such Act (42 U.S.C.  
22 1396x(w)(2)(C)) is amended by striking “smear  
23 and screening pelvic exam” and inserting “test,  
24 screening pelvic exam, and screening HPV test”.

1           (2) WAIVER OF DEDUCTIBLE.—Section  
2           1833(b)(6) of such Act (42 U.S.C. 1395l(b)(6)) is  
3           amended by striking “smear and screening pelvic  
4           exam” and inserting “test, screening pelvic exam,  
5           and screening HPV test”.

6           (3) APPLICATION OF PAP TEST PAYMENT  
7           RULE.—Section 1833(h)(7) of such Act (42 U.S.C.  
8           1305l(h)(7)) is amended—

9                   (A) by striking “smear”; and

10                   (B) by adding at the end the following:

11                   “Such minimum payment amount shall also  
12                   apply to payment for screening HPV tests”.

13           (4) APPLICATION OF PAP TEST FREQUENCY  
14           LIMITS.—Section 1862(a)(1)(F) of such Act (42  
15           U.S.C. 1395y(a)(1)(F)) is amended by striking  
16           “smear and screening pelvic exam” and inserting  
17           “test, screening pelvic exam, and screening HPV  
18           test”.

19           (5) APPLICATION OF PAP TEST EXCEPTION  
20           UNDER COMPETITIVE ACQUISITION PROGRAM.—Sec-  
21           tion 1847(e)(1)(A) of such Act (42 U.S.C. 1395w-  
22           3(e)(1)(A)) is amended by striking “pap smear lab-  
23           oratory tests” and inserting “pap tests and screen-  
24           ing HPV tests”.

1           (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to services furnished on or after  
3 January 1, 2008.

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