

110TH CONGRESS
1ST SESSION

H. R. 4288

To amend title XVIII to provide for coverage of annual preventive physical examinations under the Medicare Program.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2007

Mr. ENGLISH of Pennsylvania (for himself, Mr. TOWNS, Mrs. EMERSON, and Mr. PASTOR) 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

A BILL

To amend title XVIII to provide for coverage of annual preventive physical examinations 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 “Medicare Physicals for
5 Preventive Health Care Act of 2007”.

1 **SEC. 2. ANNUAL PHYSICAL EXAMINATIONS UNDER MEDI-**
2 **CARE.**

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

5 (1) in each of subparagraphs (W) and (AA)(i)
6 of subsection (s)(2), by striking “initial” and insert-
7 ing “annual”;

8 (2) in the heading of subsection (ww), by strik-
9 ing “Initial” and inserting “Annual”; and

10 (3) by amending paragraph (1) of subsection
11 (ww) to read as follows:

12 “(1) The term ‘annual preventive physical ex-
13 amination’ means professional services of a physi-
14 cian, or of a nurse practitioner or physician assist-
15 ant which the practitioner or assistant is authorized
16 to provide under State law, consisting of a physical
17 examination (including, as medically appropriate,
18 measurement of height, weight, and blood pressure,
19 and an electrocardiogram) with the goal of health
20 promotion and disease detection and includes edu-
21 cation, counseling, and referral with respect to
22 screening and other preventive services described in
23 paragraph (2), as well as related clinical laboratory
24 tests and such other preventive services in connec-
25 tion with the same visit as the Secretary may pro-
26 vide (taking into account services typically included

1 in an annual physical examination covered under
2 private health benefit plans).”.

3 (b) MODIFICATION OF EXCLUSIONS.—Section
4 1862(a) of such Act (42 U.S.C. 1395y(a)) is amended—

5 (1) in paragraph (1), by amending subpara-
6 graph (K) to read as follows:

7 “(K) in the case of an annual preventive phys-
8 ical examination, which is performed for an indi-
9 vidual more frequently than once in any 12-month
10 period,”; and

11 (2) in paragraph (7), by inserting “(other than
12 annual preventive physical examinations)” after
13 “routine physical checkups”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to services furnished on or after
16 January 1 of the first year beginning more than 60 days
17 after the date of the enactment of this Act.

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