

110TH CONGRESS
1ST SESSION

H. R. 4879

To amend title XVIII of the Social Security Act to include screening computed tomography colonography as a colorectal screening test for purposes of coverage under the Medicare Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

Mrs. CUBIN (for herself and Mr. TOWNS) 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 of the Social Security Act to include screening computed tomography colonography as a colorectal screening test for purposes of coverage under the Medicare Program, and for other purposes.

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 “Virtual Screening for
5 Cancer Act of 2007”.

1 **SEC. 2. SCREENING COMPUTED TOMOGRAPHY**
2 **COLONOGRAPHY INCLUDED AS A**
3 **COLORECTAL SCREENING TEST FOR PUR-**
4 **POSES OF COVERAGE UNDER THE MEDICARE**
5 **PROGRAM.**

6 (a) IN GENERAL.—Section 1861(pp)(1) of the Social
7 Security Act (42 U.S.C. 1395x(pp)(1)) is amended—

8 (1) by redesignating subparagraph (D) as sub-
9 paragraph (E); and

10 (2) by inserting after subparagraph (C) the fol-
11 lowing new subparagraph:

12 “(D) Screening computed tomography
13 colonography.”.

14 (b) FREQUENCY LIMITS AND PAYMENT FOR SCREEN-
15 ING COMPUTED TOMOGRAPHY COLONOGRAPHY.—Section
16 1834(d) of the Social Security Act (42 U.S.C. 1395m(d))
17 is amended by adding at the end the following new para-
18 graph:

19 “(4) SCREENING COMPUTED TOMOGRAPHY
20 COLONOGRAPHY.—

21 “(A) FEE SCHEDULE.—With respect to a
22 colorectal cancer screening test consisting of
23 screening computed tomography colonography,
24 payment under section 1848 shall be consistent
25 with payment under such section for similar or
26 related services.

1 “(B) PAYMENT LIMIT.—In the case of
2 screening computed tomography colonography,
3 payment under this part shall not exceed such
4 amount as the Secretary specifies, based upon
5 rates recognized for diagnostic computed to-
6 mography colonography.

7 “(C) FACILITY PAYMENT LIMIT.—

8 “(i) IN GENERAL.—Notwithstanding
9 subsections (i)(2)(A) and (t) of section
10 1833, in the case of screening computed
11 tomography colonography furnished on or
12 after January 1, 2008, that—

13 “(I) in accordance with regula-
14 tions, may be performed in an ambu-
15 latory surgical center and for which
16 the Secretary permits ambulatory sur-
17 gical center payments under this part;
18 and

19 “(II) are performed in an ambu-
20 latory surgical center or hospital out-
21 patient department,
22 payment under this part shall be based on
23 the lesser of the amount under the fee
24 schedule that would apply to such services
25 if they were performed in a hospital out-

1 patient department in an area or the
2 amount under the fee schedule that would
3 apply to such services if they were per-
4 formed in an ambulatory surgical center in
5 the same area.

6 “(ii) LIMITATION ON COINSURANCE.—
7 Notwithstanding any other provision of
8 this title, in the case of a beneficiary who
9 receives the services described in clause
10 (i)—

11 “(I) in computing the amount of
12 any applicable copayment, the com-
13 putation of such coinsurance shall be
14 based upon the fee schedule under
15 which payment is made for the serv-
16 ices; and

17 “(II) the amount of such coinsur-
18 ance shall not exceed 25 percent of
19 the payment amount under the fee
20 schedule described in subclause (I).

21 “(D) FREQUENCY LIMIT.—No payment
22 may be made under this part for a colorectal
23 cancer screening test consisting of a screening
24 computed tomography colonography—

1 “(i) if the individual is under 50 years
2 of age; or

3 “(ii)(I) in the case of individuals at
4 high risk for colorectal cancer, if the proce-
5 dure is performed within the 23 months
6 after a previous screening computed to-
7 mography colonography or a previous
8 screening colonoscopy; or

9 “(II) in the case of an individual who
10 is not at high risk for colorectal cancer, if
11 the procedure is performed within the 119
12 months after a previous screening
13 colonoscopy or within the 47 months after
14 a previous screening flexible sigmoidoscopy
15 or a previous screening computed tomog-
16 raphy colonography.”.

17 (c) CONFORMING FREQUENCY LIMITS FOR OTHER
18 COLORECTAL CANCER SCREENING TESTS.—

19 (1) SCREENING FLEXIBLE SIGMOIDOSCOPY.—
20 Paragraph (2)(E)(ii) of section 1834(d) of the Social
21 Security Act (42 U.S.C. 1395m(d)) is amended by
22 inserting “or screening computed tomography
23 colonography” after “previous screening flexible
24 sigmoidoscopy”.

1 (2) SCREENING COLONOSCOPY.—Paragraph
2 (3)(E) of such section is amended—

3 (A) by inserting “or screening computed
4 tomography colonography” after “23 months
5 after a previous screening colonoscopy”; and

6 (B) by inserting “or screening computed
7 tomography colonography” after “screening
8 flexible sigmoidoscopy”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to items and services furnished on
11 or after January 1, 2009.

12 **SEC. 3. EXEMPTION OF SCREENING COMPUTED TOMOG-**
13 **RAPHY COLONOGRAPHY FROM SPECIAL**
14 **RULE ON IMAGING SERVICES.**

15 (a) IN GENERAL.—Section 1848(b)(4)(B) of the So-
16 cial Security Act (42 U.S.C. 1395w-4(b)(4)(B)) is amend-
17 ed by inserting “and screening computed tomography
18 colonography” after “diagnostic and screening mammog-
19 raphy”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall apply to items and services furnished
22 on or after January 1, 2009.

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