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(Original Signature of Member)

111TH CONGRESS
1ST SESSION

H. R. _____

To amend title XVIII of the Social Security Act to continue using 2009 Medicare practice expense relative value units for certain cardiology services.

IN THE HOUSE OF REPRESENTATIVES

Mr. GONZALEZ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to continue using 2009 Medicare practice expense relative value units for certain cardiology services.

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. CONTINUED USE OF 2009 MEDICARE PRACTICE**
4 **EXPENSE RELATIVE VALUE UNITS FOR CER-**
5 **TAIN CARDIOLOGY SERVICES.**

6 Section 1848(c)(2) of the Social Security Act (42
7 U.S.C. 1395w-4(c)(2)) is amended by adding at the end
8 the following new subparagraph:

1 “(K) CONTINUED USE OF 2009 PRACTICE
2 EXPENSE RELATIVE VALUE UNITS FOR CERTAIN
3 CARDIOLOGY SERVICES.—

4 “(i) IN GENERAL.—Notwithstanding
5 any other provision of law, including provi-
6 sions contained in the final rule published
7 in the Federal Register on November 25,
8 2009 (74 Fed. Reg. 61737), relating to CY
9 2010 relative value units, subject to clause
10 (iii) and the second sentence of clause (iv),
11 in determining the practice expense pay-
12 ment under this paragraph for services
13 performed predominantly by cardiologists
14 and furnished on or after January 1, 2010,
15 the Secretary shall continue practice ex-
16 pense relative value units at the levels for
17 CY 2009 for such services. For purposes of
18 the previous sentence, the services per-
19 formed predominantly by cardiologists in-
20 clude (as determined by the Secretary) car-
21 diac monitoring services, services per-
22 formed primarily for the diagnosis or treat-
23 ment of heart disease, and other services
24 at least 50 percent of which are performed
25 under this part by cardiologists.

1 “(ii) INCLUSION OF SPECIFIC CARDIAC
2 CODES.—In determining practice expense
3 relative value units under this paragraph
4 for myocardial perfusion imaging (CPT
5 codes 78451–78454) for services furnished
6 on or after January 1, 2010, subject to
7 clause (iii) and the second sentence of
8 clause (iv), the Secretary shall use the
9 2009 practice expense relative value units
10 for the previous codes that were combined
11 to create such CPT codes.

12 “(iii) NEW CPT CODE IMPLEMENTA-
13 TION PERMITTED.— Nothing in clause (i)
14 or (ii) shall be construed to prevent new
15 category I CPT codes related to cardio-
16 vascular computed tomography and cardio-
17 vascular magnetic resonance imaging, pub-
18 lished in the rule referred to in clause (i),
19 from taking effect on January 1, 2010.

20 “(iv) STUDY AND REPORT ON PRAC-
21 TICE EXPENSE METHODOLOGY.—The Sec-
22 retary, in consultation with medical spe-
23 cialty society stakeholders and other af-
24 fected stakeholders, shall enter into a con-
25 tract with an independent entity—

1 “(I) to conduct a study of the
2 practice expense methodology used to
3 determine relative value units under
4 this paragraph to determine whether
5 the cost finding, indirect cost alloca-
6 tion, scaling, and budget neutrality
7 methodologies used are consistent
8 with generally accepted accounting
9 principles, distribute the burden of
10 any necessary budget neutrality ad-
11 justments proportionally among all
12 physicians’ services, comparison to
13 other payment methodologies, and re-
14 sult in allowances that accurately re-
15 flect the relative direct and indirect
16 resources involved in the provision of
17 various physicians’ services; and

18 “(II) to submit to the Secretary
19 and Congress no later than January
20 1, 2011, a report on such study that
21 includes recommendations for deter-
22 mining practice expense under this
23 subsection.

24 Upon completion of such study, the Sec-
25 retary may adjust the practice expense rel-

1 ative value units described in clause (i) and
2 the codes described in clause (ii) for serv-
3 ices furnished on or after such date (not
4 earlier than January 1, 2012) as the Sec-
5 retary may specify.

6 “(v) NO BUDGET NEUTRALITY AD-
7 JUSTMENT.—The Secretary shall not make
8 any reduction in relative value units or
9 other budget neutrality adjustments pursu-
10 ant to the application of the previous pro-
11 visions of this subparagraph.”.