

Union Calendar No. 779

118TH CONGRESS
2D SESSION

H. R. 133

[Report No. 118–764, Part I]

To amend title XVIII of the Social Security Act to clarify the use of the national coverage determination process under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

Mr. BUCHANAN (for himself, Ms. BARRAGÁN, and Ms. SALAZAR) 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

NOVEMBER 22, 2024

Reported from the Committee on Energy and Commerce with an amendment
[Strike out all after the enacting clause and insert the part printed in *italie*]

NOVEMBER 22, 2024

Referral to the Committee on Ways and Means extended for a period ending not later than December 19, 2024

DECEMBER 19, 2024

Additional sponsors: Mr. FITZPATRICK, Mr. FERGUSON, Mr. CAREY and Mrs. MILLER of West Virginia

DECEMBER 19, 2024

Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on January 9, 2023]

A BILL

To amend title XVIII of the Social Security Act to clarify the use of the national coverage determination process 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 “Mandating Exclusive*
5 *Review of Individual Treatments Act” or the “MERIT*
6 *Act”.*

7 **SEC. 2. CLARIFICATION ON MEDICARE NATIONAL COV-**
8 **ERAGE DETERMINATION PROCESS.**

9 *Section 1862(a) of the Social Security Act (42 U.S.C.*
10 *1395y(a)) is amended by adding at the end the following*
11 *new sentence: “For purposes of paragraph (1)(E), with re-*
12 *spect to a determination made on or after the date of the*
13 *enactment of this sentence of whether a drug or biological*
14 *is reasonable and necessary to carry out the purposes of*
15 *such section, such determination shall be made with respect*
16 *to each drug or biological involved and not with respect to*
17 *a class of drugs or biologicals.”.*

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