

111TH CONGRESS
1ST SESSION

H. R. 2578

To amend title XVIII of the Social Security Act to provide an increased payment for chest radiography (x-ray) services that use Computer Aided Detection technology for the purpose of early detection of lung cancer.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2009

Ms. BERKLEY (for herself, Mr. HELLER, Ms. KILPATRICK of Michigan, Mr. FORBES, Mr. HASTINGS of Florida, Mr. RUSH, and Mr. MEEK of Florida) 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 provide an increased payment for chest radiography (x-ray) services that use Computer Aided Detection technology for the purpose of early detection of lung cancer.

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 Lung Cancer
5 Early Detection Promotion Act of 2009”.

1 **SEC. 2. MEDICARE PAYMENT FOR CHEST RADIOGRAPHY**
2 **THAT USES COMPUTER AIDED DETECTION**
3 **TECHNOLOGY.**

4 Section 1834 of the Social Security Act (42 U.S.C.
5 1395m) is amended—

6 (1) in subsection (b)(1)(B), by striking “sub-
7 section (c)(1)(A)” and inserting “subsections
8 (c)(1)(A) and (n)”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(n) PAYMENT FOR CHEST RADIOGRAPHY SERVICES
12 THAT USE COMPUTER AIDED DETECTION TECHNOLOGY
13 FOR THE EARLY DETECTION OF LUNG CANCER.—

14 “(1) IN GENERAL.—Notwithstanding any other
15 provision of this part, with respect to chest radiog-
16 raphy services (identified as of September 1, 2006,
17 by HCPCS codes 71010, 71020, 71021, 71022, and
18 71030, and as subsequently modified by the Sec-
19 retary) furnished on or after January 1, 2010, that
20 use Computer Aided Detection technology for the
21 early detection of lung cancer (as defined in para-
22 graph (4)), the amount of payment shall be equal
23 to—

24 “(A) with respect to the technical compo-
25 nent of such services—

1 “(i) the amount of payment under the
2 fee schedule established under section
3 1848 for such component for the year that
4 would otherwise apply; plus

5 “(ii) the amount described in para-
6 graph (2); and

7 “(B) with respect to the professional com-
8 ponent of such services—

9 “(i) the amount of payment under the
10 fee schedule established under section
11 1848 for such component for the year that
12 would otherwise apply; plus

13 “(ii) the amount described in para-
14 graph (3).

15 “(2) AMOUNT DESCRIBED FOR TECHNICAL
16 COMPONENT.—The amount described in this para-
17 graph for services furnished—

18 “(A) during 2010 is \$12; or

19 “(B) during a subsequent year is the
20 amount established under this paragraph for
21 the preceding year, increased by the update de-
22 termined under section 1848(d) for the year.

23 “(3) AMOUNT DESCRIBED FOR PROFESSIONAL
24 COMPONENT.—The amount described in this para-
25 graph for services furnished—

1 “(A) during 2010 is \$4; and

2 “(B) during a subsequent year is the
3 amount established under this paragraph for
4 the preceding year increased by the update de-
5 termined under section 1848(d) for the year.

6 “(4) COMPUTER AIDED DETECTION TECH-
7 NOLOGY FOR THE EARLY DETECTION OF LUNG CAN-
8 CER DEFINED.—In this subsection, the term ‘Com-
9 puter Aided Detection technology for the early detec-
10 tion of lung cancer’ means a computer software
11 technology which allows for the production of a dig-
12 ital chest x-ray image or the conversion of a chest
13 x-ray into a digital image to be subsequently ana-
14 lyzed for early lung cancer nodules and which the
15 Food and Drug Administration has granted approval
16 or clearance.

17 “(5) NEW CODES.—The Secretary shall estab-
18 lish new codes for chest radiography services de-
19 scribed in paragraph (1) in order to implement this
20 subsection.”.

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