

118TH CONGRESS
1ST SESSION

H. R. 33

To amend title XVIII of the Social Security Act to provide for coverage of dental, vision, and hearing care under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

Mr. DOGGETT (for himself, Mrs. BEATTY, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BOWMAN, Ms. BUSH, Mr. CARSON, Mr. CARTER of Louisiana, Mr. CARTWRIGHT, Mr. CASAR, Mr. CASTRO of Texas, Ms. CHU, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. COURTNEY, Mr. CUELLAR, Ms. DELAURO, Mr. DESAULNIER, Mrs. DINGELL, Ms. ESCOBAR, Mr. ESPAILLAT, Mr. EVANS, Ms. LEGER FERNANDEZ, Mr. GARAMENDI, Mr. GARCÍA of Illinois, Ms. GARCIA of Texas, Mr. VICENTE GONZALEZ of Texas, Mr. GOTTHEIMER, Mr. GREEN of Texas, Mr. GRIMALVA, Mrs. HAYES, Mr. HIGGINS of New York, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KHANNA, Mr. KIM of New Jersey, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LIEU, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MENG, Mr. MFUME, Ms. MOORE of Wisconsin, Mr. NADLER, Mr. NEGUSE, Mr. NORCROSS, Ms. NORTON, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PASCRELL, Mr. PAYNE, Ms. PINGREE, Mr. POCAN, Ms. PORTER, Ms. PRESSLEY, Ms. BLUNT ROCHESTER, Mr. RUIZ, Mr. RUPPERSBERGER, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. DAVID SCOTT of Georgia, Mr. SHERMAN, Mr. SWALWELL, Mr. TAKANO, Mr. THOMPSON of California, Ms. TITUS, Ms. TLAIB, Mr. TONKO, Mr. TORRES of New York, Mrs. TRAHAN, Mr. TRONE, Mr. VEASEY, Mrs. WATSON COLEMAN, and Ms. WILLIAMS of Georgia) 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

for coverage of dental, vision, and hearing care 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 Dental, Vi-
 5 sion, and Hearing Benefit Act of 2023”.

6 **SEC. 2. DENTAL AND ORAL HEALTH CARE.**

7 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-
 8 curity Act (42 U.S.C. 1395x(s)(2)) is amended—

9 (1) in subparagraph (II), by striking “and”
 10 after the semicolon at the end;

11 (2) in subparagraph (JJ), by adding “and”
 12 after the semicolon at the end; and

13 (3) by adding at the end the following new sub-
 14 paragraph:

15 “(KK) dental and oral health services (as de-
 16 fined in subsection (nnn));”.

17 (b) DENTAL AND ORAL HEALTH SERVICES DE-
 18 FINED.—Section 1861 of the Social Security Act (42
 19 U.S.C. 1395x) is amended by adding at the end the fol-
 20 lowing new subsection:

21 “Dental and Oral Health Services

22 “(nnn) The term ‘dental and oral health services’
 23 means—

1 “(1) preventative and screening services, such
2 as oral exams, dental cleanings, dental x-rays, and
3 fluoride treatments;

4 “(2) basic dental services, such as tooth res-
5 torations, basic periodontics services, tooth extrac-
6 tions, and oral disease management services;

7 “(3) major dental services, such as major tooth
8 restorations, major periodontics services, bridges,
9 crowns, root canals, and extractions;

10 “(4) emergency dental care; and

11 “(5) other necessary services related to dental
12 or oral health (as defined by the Secretary).”.

13 (c) PAYMENT; COINSURANCE; AND LIMITATIONS.—

14 (1) IN GENERAL.—Section 1833(a)(1) of the
15 Social Security Act (42 U.S.C. 1395l(a)(1)) is
16 amended—

17 (A) by striking “and” before “(GG)”; and

18 (B) by inserting before the semicolon at
19 the end the following: “, and (HH) with respect
20 to dental and oral health services (as defined in
21 section 1861(III)), the amount paid shall be the
22 payment amount specified under section
23 1834(aa)”.

24 (2) PAYMENT AND LIMITS SPECIFIED.—Section
25 1834 of the Social Security Act (42 U.S.C. 1395m)

1 is amended by adding at the end the following new
2 subsection:

3 “(aa) PAYMENT AND LIMITS FOR DENTAL AND ORAL
4 HEALTH SERVICES.—

5 “(1) IN GENERAL.—The payment amount
6 under this part for dental and oral health services
7 (as defined in section 1861(nnn)) shall be, subject to
8 paragraph (3), the applicable percent (specified in
9 paragraph (2)) of the lesser of the actual charge for
10 the services or the amount determined under the
11 payment basis determined under section 1848.

12 “(2) APPLICABLE PERCENT.—

13 “(A) IN GENERAL.—For purposes of para-
14 graph (1), except as provided in subparagraph
15 (B), the applicable percent specified in this
16 paragraph is—

17 “(i) with respect to services described
18 in section 1861(nnn)(1) furnished during
19 2024 or a subsequent year, 100 percent;
20 and

21 “(ii) with respect to services not de-
22 scribed in clause (i)—

23 “(I) for a year before 2025, 0
24 percent;

25 “(II) for 2025, 30 percent;

1 “(III) for 2026, 60 percent; and

2 “(IV) for 2027 and each subse-

3 quent year, 80 percent.

4 “(B) SPECIAL RULE FOR CERTAIN LOW-IN-

5 COME INDIVIDUALS.—For purposes of para-

6 graph (1), the applicable percent specified in

7 this paragraph is, with respect to services fur-

8 nished to an individual who is a subsidy eligible

9 individual (as defined in section 1860D-

10 14(a)(3)), or who would be a subsidy eligible in-

11 dividual if the individual were enrolled in a pre-

12 scription drug plan or MA-PD plan—

13 “(i) with respect to services described

14 in section 1861(nnn)(1), for 2024 and

15 each subsequent year, 100 percent; and

16 “(ii) with respect to services not de-

17 scribed in clause (i), for 2025 and each

18 subsequent year, 80 percent.

19 “(3) LIMITATIONS AND SECRETARIAL AUTHOR-

20 ITY.—

21 “(A) FREQUENCY.—With respect to dental

22 and oral health services that are—

23 “(i) routine dental cleanings, payment

24 may be made under this part for only two

1 such cleanings during a 12-month period;
2 and

3 “(ii) routine exams, payment may be
4 made under this part for only two such
5 exams during a 12-month period.

6 “(B) SECRETARIAL AUTHORITY.—

7 “(i) AUTHORITY TO APPLY ADDI-
8 TIONAL LIMITATIONS.—The Secretary may
9 apply such other reasonable limitations on
10 the extent to which dental and oral services
11 are covered under this part, including
12 through application of a prior authoriza-
13 tion requirement.

14 “(ii) AUTHORITY TO MODIFY COV-
15 ERAGE.—Notwithstanding any other provi-
16 sion of this title, if the Secretary deter-
17 mines appropriate, the Secretary may mod-
18 ify the coverage under this part of dental
19 and oral health services to the extent that
20 such modification is consistent with the
21 recommendations of the United States Pre-
22 ventive Services Task Force.

23 “(iii) AUTHORITY TO WAIVE FRE-
24 QUENCY LIMITATIONS.—Notwithstanding
25 subparagraph (A), the Secretary may

1 waive any frequency limitation under such
2 subparagraph for an individual (or cat-
3 egory of individuals) if determined appro-
4 priate by the Secretary.”.

5 (d) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—
6 Section 1848(j)(3) of the Social Security Act (42 U.S.C.
7 1395w-4(j)(3)) is amended by inserting “(2)(KK),” be-
8 fore “(3)”.

9 (e) DENTURES.—

10 (1) IN GENERAL.—Section 1861(s)(8) of the
11 Social Security Act (42 U.S.C. 1395x(s)(8)) is
12 amended—

13 (A) by striking “(other than dental)” and
14 inserting “(including dentures)”; and

15 (B) by striking “internal body”.

16 (2) SPECIAL PAYMENT RULES.—Section
17 1834(a) of the Social Security Act (42 U.S.C.
18 1395m(a)) is amended by adding at the end the fol-
19 lowing new paragraph:

20 “(23) PAYMENT AND LIMITS FOR DENTURES.—

21 “(A) IN GENERAL.—The payment amount
22 under this part for dentures shall be, subject to
23 subparagraph (C), the applicable percent (speci-
24 fied in subparagraph (B)) of the amount other-

1 wise payable for such dentures under this sec-
2 tion.

3 “(B) APPLICABLE PERCENT.—For pur-
4 poses of subparagraph (A), the applicable per-
5 cent specified in this subparagraph is—

6 “(i) for a year before 2025, 0 percent;

7 and

8 “(ii) for 2025 and each subsequent
9 year, 80 percent.

10 “(C) LIMITATIONS AND SECRETARIAL AU-
11 THORITY.—

12 “(i) IN GENERAL.—Payment may be
13 made under this part for an individual
14 for—

15 “(I) not more than one full upper
16 and one full lower denture once every
17 five years; and

18 “(II) not more than one partial
19 upper denture and one partial lower
20 denture once every five years.

21 “(ii) SECRETARIAL AUTHORITY.—

22 “(I) AUTHORITY TO APPLY ADDI-
23 TIONAL LIMITATIONS.—The Secretary
24 may apply such other reasonable limi-
25 tations on the extent to which den-

1 tures are covered under this part, in-
2 cluding through application of a prior
3 authorization requirement.

4 “(II) AUTHORITY TO MODIFY
5 COVERAGE.—Notwithstanding any
6 other provision of this title, if the Sec-
7 retary determines appropriate, the
8 Secretary may modify the coverage
9 under this part of dentures to the ex-
10 tent that such modification is con-
11 sistent with the recommendations of
12 the United States Preventive Services
13 Task Force.

14 “(III) AUTHORITY TO WAIVE
15 FREQUENCY LIMITATIONS.—Notwith-
16 standing clause (i), the Secretary may
17 waive any frequency limitation under
18 such clause for an individual (or cat-
19 egory of individuals) if determined ap-
20 propriate by the Secretary.”.

21 (f) REPEAL OF GROUND FOR EXCLUSION.—Section
22 1862(a) of the Social Security Act (42 U.S.C. 1395y) is
23 amended by striking paragraph (12).

1 (g) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to services furnished on or after
3 January 1, 2024.

4 **SEC. 3. VISION CARE.**

5 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-
6 curity Act (42 U.S.C. 1395x(s)(2)), as amended by section
7 2, is further amended—

8 (1) in subparagraph (JJ), by striking “and”
9 after the semicolon at the end;

10 (2) in subparagraph (KK), by adding “and”
11 after the semicolon at the end; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(LL) vision services (as defined in subsection
15 (ooo));”.

16 (b) VISION SERVICES DEFINED.—Section 1861 of
17 the Social Security Act (42 U.S.C. 1395x), as amended
18 by section 2, is further amended by adding at the end the
19 following new subsection:

20 “Vision Services

21 “(ooo) The term ‘vision services’ means—

22 “(1) routine eye examinations and procedures
23 performed (during the course of any eye examina-
24 tion) to determine the refractive state of the eyes;
25 and

1 “(2) other necessary services related to eye and
2 vision health (as defined by the Secretary).”.

3 (c) PAYMENT; COINSURANCE; AND LIMITATIONS.—

4 (1) IN GENERAL.—Section 1833(a)(1) of the
5 Social Security Act (42 U.S.C. 1395l(a)(1)), as
6 amended by section 2, is further amended—

7 (A) by striking “and” before “(HH)”; and

8 (B) by inserting before the semicolon at
9 the end the following: “, and (II) with respect
10 to vision services (as defined in section
11 1861(mmm)), the amount paid shall be the
12 payment amount specified under section
13 1834(bb)”.

14 (2) PAYMENT AND LIMITS SPECIFIED.—Section
15 1834 of the Social Security Act (42 U.S.C. 1395m),
16 as amended by section 2, is further amended by add-
17 ing at the end the following new subsection:

18 “(bb) PAYMENT AND LIMITS FOR VISION SERV-
19 ICES.—

20 “(1) IN GENERAL.—The payment amount
21 under this part for vision services (as defined in sec-
22 tion 1861(ooo)) shall be, subject to paragraph (2),
23 80 percent of the lesser of the actual charge for the
24 services or the amount determined under the pay-
25 ment basis determined under section 1848.

1 “(2) LIMITATIONS AND SECRETARIAL AUTHOR-
2 ITY.—

3 “(A) FREQUENCY.—With respect to rou-
4 tine eye exams, payment may be made under
5 this part for only one such exam during a 12-
6 month period.

7 “(B) SECRETARIAL AUTHORITY.—

8 “(i) AUTHORITY TO APPLY ADDI-
9 TIONAL LIMITATIONS.—The Secretary may
10 apply other reasonable limitations on the
11 extent to which vision services are covered
12 under this part, including through applica-
13 tion of a prior authorization requirement.

14 “(ii) AUTHORITY TO MODIFY COV-
15 ERAGE.—Notwithstanding any other provi-
16 sion of this title, if the Secretary deter-
17 mines appropriate, the Secretary may mod-
18 ify the coverage under this part of vision
19 services to the extent that such modifica-
20 tion is consistent with the recommenda-
21 tions of the United States Preventive Serv-
22 ices Task Force.

23 “(iii) AUTHORITY TO WAIVE FRE-
24 QUENCY LIMITATIONS.—Notwithstanding
25 subparagraph (A), the Secretary may

1 waive any frequency limitation under such
2 subparagraph for an individual (or cat-
3 egory of individuals) if determined appro-
4 priate by the Secretary.”.

5 (d) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—
6 Section 1848(j)(3) of the Social Security Act (42 U.S.C.
7 1395w-4(j)(3)) is amended by inserting “(2)(LL),” after
8 “(2)(KK),” (as added by section 2).

9 (e) SPECIAL PAYMENT RULES FOR EYEGLASSES,
10 CONTACT LENSES, AND LOW VISION DEVICES.—Section
11 1834(a) of the Social Security Act (42 U.S.C. 1395m(a)),
12 as amended by section 2, is further amended by adding
13 at the end the following:

14 “(24) PAYMENT AND LIMITS FOR EYEGLASSES
15 AND CONTACT LENSES.—

16 “(A) IN GENERAL.—The payment amount
17 under this part for eyeglass lenses, eyeglass
18 frames, and contact lenses shall be, subject to
19 subparagraph (B), 80 percent of the amount
20 otherwise payable for such eyeglass lenses, eye-
21 glass frames, and contact lenses, respectively,
22 under this section.

23 “(B) LIMITATIONS AND SECRETARIAL AU-
24 THORITY.—

1 “(i) IN GENERAL.—Subject to clause
2 (iii), payment may be made under this part
3 (other than for eyewear described in sec-
4 tion 1861(s)(8)) for an individual for—

5 “(I) not more than one pair of
6 eyeglass lenses during any 12-month
7 period in an amount not exceeding
8 \$100;

9 “(II) not more than one set of
10 eyeglass frames during any 24-month
11 period in an amount not exceeding
12 \$100; and

13 “(III) contact lenses, only to the
14 extent that the sum of such payments
15 for contact lenses does not exceed a
16 limitation of \$200 during any 24-
17 month period beginning during the
18 first year beginning at least six
19 months after the date of the enact-
20 ment of this paragraph (or, beginning
21 during a subsequent year, such limita-
22 tion for a 24-month period beginning
23 in the previous year increase by an
24 appropriate inflation adjustment spec-
25 ified by the Secretary).

1 “(ii) SECRETARIAL AUTHORITY.—

2 “(I) AUTHORITY TO APPLY ADDI-
3 TIONAL LIMITATIONS.—The Secretary
4 may apply such other reasonable limi-
5 tations on the extent to which eye-
6 glass lenses, eyeglass frames, and con-
7 tact lenses are covered under this
8 part, including through application of
9 a prior authorization requirement.

10 “(II) AUTHORITY TO MODIFY
11 COVERAGE.—Notwithstanding any
12 other provision of this title, if the Sec-
13 retary determines appropriate, the
14 Secretary may modify the coverage
15 under this part of eyeglass lenses, eye-
16 glass frames, and contact lenses to
17 the extent that such modification is
18 consistent with the recommendations
19 of the United States Preventive Serv-
20 ices Task Force.

21 “(III) AUTHORITY TO WAIVE
22 FREQUENCY LIMITATIONS.—Notwith-
23 standing clause (i), the Secretary may
24 waive any frequency limitation under
25 such clause for an individual (or cat-

1 egory of individuals) if determined ap-
2 propriate by the Secretary.

3 “(iii) UPDATE OF PAYMENT LIMITS
4 TO ACCOUNT FOR INFLATION.—With re-
5 spect to eyeglass lenses and contact lenses
6 furnished during 2025 or a subsequent
7 year, the Secretary shall increase the dollar
8 amounts in effect under this subparagraph
9 for such year by the percentage change in
10 the consumer price index for all urban con-
11 sumers (United States city average) for
12 the 12-month period ending with June of
13 the previous year.

14 “(25) PAYMENT AND LIMITS FOR LOW VISION
15 DEVICES.—

16 “(A) IN GENERAL.—The payment amount
17 under this part for low vision devices shall be
18 80 percent of the amount otherwise payable for
19 low vision devices under this section.

20 “(B) SECRETARIAL AUTHORITY.—

21 “(i) AUTHORITY TO APPLY LIMITA-
22 TIONS.—The Secretary may apply reason-
23 able limitations on the extent to which low
24 vision devices are covered under this part,

1 including through application of a prior
2 authorization requirement.

3 “(ii) AUTHORITY TO MODIFY COV-
4 ERAGE.—Notwithstanding any other provi-
5 sion of this title, if the Secretary deter-
6 mines appropriate, the Secretary may mod-
7 ify the coverage under this part of low vi-
8 sion devices to the extent that such modi-
9 fication is consistent with the recommenda-
10 tions of the United States Preventive Serv-
11 ices Task Force.

12 “(C) LOW VISION DEVICE DEFINED.—In
13 this paragraph, the term ‘low vision device’
14 means a device, prescribed by a physician, that
15 magnifies, enhances, or otherwise augments or
16 interprets visual images irrespective of the size,
17 form, or technological features of such device
18 and does not include ordinary eyeglasses or con-
19 tact lenses. In the previous sentence, the term
20 ‘ordinary eyeglasses or contact lenses’ means
21 lenses that are intended to fully correct visual
22 acuity or fully eliminate refractive error.”.

23 (f) DEFINITION OF DURABLE MEDICAL EQUIPMENT

24 TO INCLUDE EYEGLASSES, CONTACT LENSES, AND LOW

1 VISION DEVICES.—Section 1861(n) of the Social Security
2 Act (42 U.S.C. 1395x(n)) is amended—

3 (1) by striking “and” before “eye tracking” and
4 inserting a comma; and

5 (2) by inserting “, and eyeglass lenses, low vi-
6 sion devices (as defined in section 1834(a)(25)), eye-
7 glass frames, and contact lenses” before “; except”.

8 (g) REPEAL OF GROUND FOR EXCLUSION.—Section
9 1862(a)(7) of the Social Security Act (42 U.S.C.
10 1395y(a)(7)) is amended by striking “, eyeglasses (other
11 than eyewear described in section 1861(s)(8)) or eye ex-
12 aminations for the purpose of prescribing, fitting, or
13 changing eyeglasses, procedures performed (during the
14 course of any eye examination) to determine the refractive
15 state of the eyes”.

16 (h) EFFECTIVE DATE.—The amendments made by
17 this section shall apply to services furnished on or after
18 January 1, 2024.

19 **SEC. 4. HEARING CARE.**

20 (a) COVERAGE.—

21 (1) IN GENERAL.—Section 1861(s)(2) of the
22 Social Security Act (42 U.S.C. 1395x(s)(2)), as
23 amended by sections 2 and 3, is further amended—

24 (A) in subparagraph (KK), by striking
25 “and” at the end;

1 (B) in subparagraph (LL), by inserting
2 “and” at the end; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(MM) audiology services (as defined in sub-
6 section (ll)(3)) and hearing services (as defined in
7 subsection (ll)(5));”.

8 (2) HEARING SERVICES DEFINED.—Section
9 1861(ll) of the Social Security Act (42 U.S.C.
10 1395x(ll)) is amended—

11 (A) in the subsection heading, by inserting
12 “; HEARING SERVICES” after “AUDIOLOGY
13 SERVICES”; and

14 (B) by adding at the end the following new
15 paragraph:

16 “(5) The term ‘hearing services’ means—

17 “(A) routine hearing exams and exams for
18 hearing aids; and

19 “(B) other necessary services related to hearing
20 health (as defined by the Secretary).”.

21 (b) PAYMENT; COINSURANCE; AND LIMITATIONS.—

22 (1) IN GENERAL.—Section 1833(a)(1) of the
23 Social Security Act (42 U.S.C. 1395l(a)(1)), as
24 amended by sections 2 and 3, is further amended—

25 (A) by striking “and” before “(II)”; and

1 (B) by inserting before the semicolon at
2 the end the following: “, and (JJ) with respect
3 to audiology services (as defined in section
4 1861(ll)(3)) and hearing services (as defined in
5 section 1861(ll)(5)), the amount paid shall be
6 the payment amount specified under section
7 1834(cc)”.

8 (2) PAYMENT AND LIMITS SPECIFIED.—Section
9 1834 of the Social Security Act (42 U.S.C. 1395m),
10 as amended by sections 2 and 3, is further amended
11 by adding at the end the following new subsection:

12 “(cc) PAYMENT AND LIMITS FOR HEARING SERV-
13 ICES.—

14 “(1) IN GENERAL.—The payment amount
15 under this part for audiology services (as defined in
16 section 1861(ll)(3)) and hearing services (as defined
17 in section 1861(ll)(5)), shall be, subject to para-
18 graph (2), 80 percent of the lesser of the actual
19 charge for the services or the amount determined
20 under the payment basis determined under section
21 1848.

22 “(2) SECRETARIAL AUTHORITY.—

23 “(A) AUTHORITY TO APPLY LIMITA-
24 TIONS.—The Secretary may apply reasonable
25 limitations on the extent to which audiology

1 services and hearing services are covered under
2 this part, including through application of a
3 prior authorization requirement.

4 “(B) AUTHORITY TO MODIFY COVERAGE.—
5 Notwithstanding any other provision of this
6 title, if the Secretary determines appropriate,
7 the Secretary may modify the coverage under
8 this part of audiology services and hearing serv-
9 ices to the extent that such modification is con-
10 sistent with the recommendations of the United
11 States Preventive Services Task Force.”.

12 (c) PAYMENT UNDER THE PHYSICIAN FEE SCHED-
13 ULE.—Section 1848(j)(3) of the Social Security Act (42
14 U.S.C. 1395w-4(j)(3)), as amended by section 2(d), is
15 further amended by inserting “(2)(MM),” before “(3)”.

16 (d) HEARING AIDS.—

17 (1) REPEAL OF GROUND FOR EXCLUSION.—
18 Section 1862(a)(7) of the Social Security Act (42
19 U.S.C. 1395y(a)(7)), as amended by section 3(g), is
20 further amended by striking “, hearing aids or ex-
21 aminations therefor,”.

22 (2) DEFINITION OF DURABLE MEDICAL EQUIP-
23 MENT TO INCLUDE HEARING AIDS.—Section 1861(n)
24 of the Social Security Act (42 U.S.C. 1395x(n)), as

1 amended by section 3, is further amended by insert-
2 ing “hearing aids,” before “and eyeglass lenses”.

3 (3) SPECIAL PAYMENT RULES FOR HEARING
4 AIDS.—Section 1834(a) of the Social Security Act
5 (42 U.S.C. 1395m(a)), as amended by sections 2
6 and 3, is further amended by adding at the end the
7 following new paragraph:

8 “(26) PAYMENT AND LIMITS FOR HEARING
9 AIDS.—

10 “(A) IN GENERAL.—The payment amount
11 under this part for hearing aids shall be, sub-
12 ject to subparagraph (B), 80 percent of the
13 amount otherwise payable for hearing aids
14 under this section.

15 “(B) LIMITATIONS AND SECRETARIAL AU-
16 THORITY.—

17 “(i) IN GENERAL.—Payment may be
18 made under this part for an individual for
19 not more than one hearing aid per ear dur-
20 ing a 48-month period.

21 “(ii) SECRETARIAL AUTHORITY.—

22 “(I) AUTHORITY TO APPLY ADDI-
23 TIONAL LIMITATIONS.—The Secretary
24 may apply additional limitations on
25 the extent to which hearing aids are

1 covered under this part, including
2 through application of a prior author-
3 ization requirement and through ap-
4 plication of criteria for a minimum
5 level of hearing loss for coverage of an
6 initial or replacement hearing aid.

7 “(II) AUTHORITY TO MODIFY
8 COVERAGE.—Notwithstanding any
9 other provision of this title, if the Sec-
10 retary determines appropriate, the
11 Secretary may modify the coverage
12 under this part of hearing aids to the
13 extent that such modification is con-
14 sistent with the recommendations of
15 the United States Preventive Services
16 Task Force.

17 “(iii) AUTHORITY TO WAIVE FRE-
18 QUENCY LIMITATIONS.—Notwithstanding
19 clause (i), the Secretary may waive any
20 frequency limitation under such clause for
21 an individual (or category of individuals) if
22 determined appropriate by the Secretary.”.

23 (e) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to services furnished on or after
25 January 1, 2024.

1 **SEC. 5. NONAPPLICATION OF COMPETITIVE ACQUISITION**
2 **TO CERTAIN ITEMS.**

3 Section 1847(a)(2) of the Social Security Act (42
4 U.S.C. 1395w-3(a)(2)) is amended—

5 (1) by striking “and excluding” and inserting
6 “excluding”; and

7 (2) by inserting “, and excluding dentures, eye-
8 glass lenses, contact lenses, and hearing aids” before
9 the period at the end.

10 **SEC. 6. INCLUSION OF AN ORAL HEALTH PROFESSIONAL**
11 **ON THE UNITED STATES PREVENTIVE SERV-**
12 **ICES TASK FORCE.**

13 (a) **IN GENERAL.**—The first sentence of section
14 915(a)(1) of the Public Health Service Act (42 U.S.C.
15 299b-4(a)(1)) is amended by inserting “, including at
16 least 1 oral health professional” before the period at the
17 end.

18 (b) **EFFECTIVE DATE.**—The amendment made by
19 subsection (a) shall apply beginning on January 1 of the
20 first year beginning at least 6 months after the date of
21 the enactment of this Act.

○