

111TH CONGRESS
1ST SESSION

H. R. 2962

To amend title XVIII of the Social Security Act to exclude certain advanced diagnostic imaging services from the in-office ancillary services exception to the prohibition on physician self-referral.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2009

Ms. SPEIER 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 exclude certain advanced diagnostic imaging services from the in-office ancillary services exception to the prohibition on physician self-referral.

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 “Integrity in Medicare
5 Advanced Diagnostic Imaging Act of 2009”.

1 **SEC. 2. EXCLUDING CERTAIN ADVANCED DIAGNOSTIC IM-**
2 **AGING SERVICES FROM THE IN-OFFICE AN-**
3 **CILLARY SERVICES EXCEPTION TO THE PRO-**
4 **HIBITION ON PHYSICIAN SELF-REFERRAL.**

5 (a) IN GENERAL.—Section 1877(b)(2) of the Social
6 Security Act (42 U.S.C. 1395nn(b)(2)) is amended—

7 (1) in the matter before subparagraph (A), by
8 striking “and supplies” and inserting “, supplies,
9 and certain advanced diagnostic imaging services”;
10 and

11 (2) by adding at the end the following: “For
12 purposes of subparagraph (A), the term ‘certain ad-
13 vanced diagnostic imaging services’ means diagnostic
14 magnetic resonance imaging, computed tomography,
15 and positron emission tomography, and such other
16 diagnostic imaging services, including services de-
17 scribed in section 1848(b)(4)(B) (but excluding X-
18 ray, ultrasound, and fluoroscopy), as specified by the
19 Secretary in consultation with physician specialty or-
20 ganizations and other stakeholders, but does not in-
21 clude imaging services performed for purposes of ra-
22 diation therapy treatment planning or in conjunction
23 with an interventional radiological procedure or nu-
24 clear medicine other than positron emission tomog-
25 raphy.”.

1 **SEC. 3. EFFECTIVE DATES.**

2 The amendments made by sections 2 and 3 of this
3 Act shall apply to services furnished on or after the date
4 of the enactment of this Act, regardless of when the refer-
5 ral for such services is or was made.

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