

116TH CONGRESS  
1ST SESSION

# H. R. 1970

To amend title XVIII of the Social Security Act to provide for payment for services of radiologist assistants under the Medicare program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2019

Mr. MICHAEL F. DOYLE of Pennsylvania (for himself, Mr. OLSON, Mr. KIND, Mr. GIANFORTE, Mr. SARBANES, and Ms. SEWELL of Alabama) 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

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## A BILL

To amend title XVIII of the Social Security Act to provide for payment for services of radiologist assistants under the Medicare program, and for other purposes.

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 Access to  
5 Radiology Care Act of 2019”.

1 **SEC. 2. MEDICARE PAYMENT FOR RADIOLOGIST ASSISTANT**  
2 **SERVICES.**

3 (a) **COVERAGE.**—Section 1861 of the Social Security  
4 Act (42 U.S.C. 1395x) is amended—

5 (1) in subsection (s)(2)(K)—

6 (A) by striking the semicolon at the end of  
7 clause (ii) and inserting a comma; and

8 (B) by adding at the end the following new  
9 clause:

10 “(iii) radiologist assistant services (as  
11 defined in subsection (kkk)(1));”; and

12 (2) by adding at the end the following new sub-  
13 section:

14 “Radiologist Assistant Services; Radiologist Assistant

15 “(kkk)(1) The term ‘radiologist assistant services’  
16 means services—

17 “(A) performed by a radiologist assistant (as  
18 defined in paragraph (2)) under the supervision of  
19 a radiologist as an employee, leased employee, or  
20 independent contractor of the supervising radiolo-  
21 gist; and

22 “(B) which the radiologist assistant is legally  
23 authorized to perform under State law (or the State  
24 regulatory mechanism provided by State law).

25 “(2) The term ‘radiologist assistant’ means a  
26 radiographer who is certified by the American Registry of

1 Radiologic Technologists as a registered radiologist assist-  
2 ant or by the Certification Board for Radiology Practi-  
3 tioner Assistants as a radiology practitioner assistant to  
4 perform radiologic procedures under the supervision of a  
5 radiologist.”.

6 (b) PAYMENT IN RELATION TO PHYSICIAN FEE  
7 SCHEDULE.—

8 (1) PAYMENT LEVEL.—Section 1833(a)(1)(O)  
9 of such Act (42 U.S.C. 1395l(a)(1)(O)) is amended  
10 by striking “or clinic nurse specialists” and inserting  
11 “clinic nurse specialists, or radiologist assistant serv-  
12 ices”.

13 (2) APPLICATION OF FEE SCHEDULE IN HOS-  
14 PITAL, AMBULATORY SURGICAL CENTER SET-  
15 TINGS.—Section 1848(a) of such Act (42 U.S.C.  
16 1395w-4(a)) is amended by adding at the end the  
17 following new paragraph:

18 “(10) APPLICATION OF FEE SCHEDULE FOR  
19 RADIOLOGIST ASSISTANT SERVICES IN HOSPITAL,  
20 AMBULATORY SURGICAL CENTER SETTINGS.—

21 “(A) IN GENERAL.—In the case of radiolo-  
22 gist assistant services (as defined in section  
23 1861(kkk)(1)) furnished in a facility setting (as  
24 defined in subparagraph (B)), payment for such  
25 services furnished in such setting shall be made

1 to the supervising radiologist in an amount de-  
 2 termined pursuant to section 1833(a)(1)(O).

3 “(B) FACILITY SETTING DEFINED.—In  
 4 this paragraph, the term ‘facility setting’  
 5 means—

6 “(i) a hospital or critical access hos-  
 7 pital;

8 “(ii) an ambulatory surgical center;  
 9 and

10 “(iii) such other providers of services  
 11 as the Secretary may specify.”.

12 (3) PAYMENT TO SUPERVISING RADIOLOGIST.—  
 13 The first sentence of section 1842(b)(6) of such Act  
 14 (42 U.S.C. 1395u(b)(6)) is amended—

15 (A) by striking “and” before “(J)”; and

16 (B) by inserting before the period at the  
 17 end the following: “, and (K) in the case of  
 18 services described in clause (iii) of section  
 19 1861(s)(2)(K) (relating to radiologist assistant  
 20 services), payment shall be made to the super-  
 21 vising radiologist”.

22 (4) RULES OF CONSTRUCTION.—Nothing in  
 23 this section, or the amendments made by this sec-  
 24 tion, shall be construed as affecting—

1 (A) coverage of and payment for the tech-  
2 nical component (including the technical compo-  
3 nent of a global fee) with respect to imaging  
4 services under title XVIII of the Social Security  
5 Act (42 U.S.C. 1395 et seq.) as in effect before  
6 the date of the enactment of this Act;

7 (B) the amount of payment made for phy-  
8 sicians' services under such title when furnished  
9 solely by a radiologist; or

10 (C) the amount of payment made under  
11 such title for services furnished by a hospital,  
12 critical access hospital, ambulatory surgical cen-  
13 ter or any other facility setting specified by the  
14 Secretary under section 1848(a)(10)(B)(iii) of  
15 the Social Security Act (as added by paragraph  
16 (3)), as the case may be.

17 (c) EFFECTIVE DATE.—The amendments made by  
18 this section shall apply to services furnished on or after  
19 January 1, 2020.

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