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 SENATE OF THE UNITED STATES

AUGUST 5, 2021

Mr. Boozman (for himself, Mr. Casey, and Mr. Daines) introduced the following bill; which was read twice and referred to the Committee on Finance

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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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Medicare Access to Radiology Care Act of 2021”.

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SEC. 2. MEDICARE PAYMENT FOR RADIOLOGIST ASSISTANT SERVICES.

(a) In General.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(z) Payment for Certain Radiologist Assistant Services.—

“(1) Payment.—

“(A) In General.—In the case of radiologist assistant services (as defined in subparagraph (B)) furnished on or after January 1, 2022, for which payment is made under the fee schedules established under section 1848, the amount of payment for such services shall equal 85 percent of the amount determined under section 1848 for such services when furnished by a radiologist.

“(B) Definitions.—In this subsection:

“(i) Radiologist assistant services.—The term ‘radiologist assistant services’ means services furnished as an incident to a radiologists’ professional service—

“(I) performed by a radiologist assistant (as defined in clause (ii)) under the supervision of a radiologist
as an employee of, a leased employee
of, or an independent contractor of
the supervising radiologist; and

“(II) which the radiologist assist-
ant is legally authorized to perform
under State law (or the State regu-
latory mechanism provided by State
law).

“(ii) RADIOLOGIST ASSISTANT.—The
term ‘radiologist assistant’ means a
radiographer who is certified by the Amer-
ican Registry of Radiologic Technologists
as a registered radiologist assistant or by
the Certification Board for Radiology
Practitioner Assistants as a radiology prac-
titioner assistant to perform radiologic pro-
cedures under the supervision of a radiolo-
gist.

“(2) PAYMENT IN FACILITY SETTINGS.—

“(A) IN GENERAL.—The Secretary shall
provide for payment for radiologist assistant
services in a facility setting furnished on or
after January 1, 2022. Payment shall be made
to the supervising radiologist.
“(B) PAYMENT AMOUNT.—The amount of payment for radiologist assistant services furnished in a facility setting shall be the amount determined under paragraph (1).

“(C) FACILITY SETTING DEFINED.—In this paragraph, the term ‘facility setting’ means—

“(i) a hospital or critical access hospital;

“(ii) an ambulatory surgical center;

and

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

“(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed as affecting—

“(A) coverage of and payment for the technical component (including the technical component of a global fee) with respect to imaging services under this title as in effect before the date of the enactment of this Act;

“(B) the amount of payment made for radiologists’ services under this title when furnished solely by a radiologist; or

“(C) the amount of payment made under this title for services furnished by a hospital,
critical access hospital, ambulatory surgical center, or any other facility setting specified by the Secretary under paragraph (2)(C)(iii), as the case may be.”.

(b) Conforming Amendment for Payment to Supervising Radiologist.—The first sentence of section 1842(b)(6) of such Act (42 U.S.C. 1395u(b)(6)) is amended—

(1) by striking “and” before “(J)”; and

(2) by inserting before the period at the end the following: “, and (K) in the case of radiologist assistant services (as defined in section 1834(z)(1)(B)(i)), payment shall be made to the supervising radiologist”.

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