

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1618

To amend title XVIII of the Social Security Act to permit direct payment under the medicare program for services of registered nurses as assistants at surgery.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1993

Mrs. COLLINS of Illinois introduced the following bill; which was referred jointly to the Committees on Ways and Means and Energy and Commerce

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## A BILL

To amend title XVIII of the Social Security Act to permit direct payment under the medicare program for services of registered nurses as assistants at surgery.

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. DIRECT PAYMENT FOR SERVICES OF REG-**  
4                               **ISTERED NURSES AS ASSISTANTS AT SUR-**  
5                               **GERY.**

6           (a) SERVICES COVERED.—Section 1861(s)(2)(K) of  
7 the Social Security Act (42 U.S.C 1395x(s)(2)(K)) is  
8 amended—

9           (1) in clause (iii), by striking “and” at the end;

1 (2) in clause (iv), by striking “clause (i) or (ii)”  
2 and inserting “clause (i), (ii), or (iv)”;

3 (3) by redesignating clause (iv) as clause (v);  
4 and

5 (4) by inserting after clause (iii) the following  
6 new clause:

7 “(iv) services which would be physicians’ serv-  
8 ices if furnished by a physician (as defined in sub-  
9 section (r)(1)) and which are performed by a reg-  
10 istered nurse under the supervision of a physician  
11 (as so defined) as an assistant at surgery and which  
12 the registered nurse is legally authorized to perform  
13 by the State in which the services are performed,  
14 and”.

15 (b) PAYMENT AMOUNT.—Section 1842(b)(12) of  
16 such Act (42 U.S.C. 1395u(b)(12)) is amended—

17 (1) by striking “clauses (i), (ii), or (iv)” each  
18 place it appears and inserting “clauses (i), (ii), (iv),  
19 or (v)”;

20 (2) in subparagraph (A), by striking “a physi-  
21 cian assistants and nurse practitioners” and insert-  
22 ing “physician assistants, nurse practitioners, and  
23 registered nurses”.

1 (c) PAYMENTS TO EMPLOYERS.—Section  
2 1842(b)(6)(C) of such Act (42 U.S.C. 1395u(b)(6)(C)) is  
3 amended—

4 (1) by striking “clauses (i), (ii), or (iv)” and in-  
5 serting “clauses (i), (ii), (iv), or (v)”; and

6 (2) by striking “physician assistant or nurse  
7 practitioner” and inserting “physician assistant,  
8 nurse practitioner, or registered nurse”.

9 (d) REDUCTION IN PAYMENTS TO AVOID DUPLICATE  
10 PAYMENT.—Notwithstanding any other provision of law,  
11 the Secretary of Health and Human Services may reduce  
12 the amount of payments otherwise made to hospitals  
13 under title XVIII of the Social Security Act to eliminate  
14 estimated duplicate payments for historical or current  
15 costs attributable to services described in section  
16 1861(s)(2)(K)(iv) of such Act (as amended by subsection  
17 (a)).

18 (e) EFFECTIVE DATE.—The amendments made by  
19 this section shall apply to services furnished on or  
20 after January 1, 1994.

21 **SEC. 2. STUDY OF PAYMENT RATES.**

22 Not later than April 1, 1994, the Secretary of Health  
23 and Human Services shall submit a report to Congress  
24 containing recommendations for adjustments to the pay-  
25 ment amounts established under part B of title XVIII of

1 the Social Security Act for services described in section  
2 1861(s)(2)(K)(iv) of such Act (as amended by section  
3 1(a)) to ensure that the payment amounts reflect the ap-  
4 proximate costs of furnishing the services, taking into ac-  
5 count the costs of compensation, overhead, and super-  
6 vision attributable to registered nurses.

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