

103^D CONGRESS
1ST SESSION

H. R. 2588

To amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the medicare program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program.

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 1993

Mr. HINCHEY introduced the following bill; which was referred jointly to the Committees on Ways and Means, Energy and Commerce, and Post Office and Civil Service

A BILL

To amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the medicare program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits 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 “Federal Acupuncture
5 Coverage Act of 1993”.

1 **SEC. 2. COVERAGE OF ACUPUNCTURIST SERVICES UNDER**
2 **MEDICARE.**

3 (a) IN GENERAL.—Section 1861(s)(2) of the Social
4 Security Act (42 U.S.C. 1395x(s)(2)) is amended—

5 (1) by striking “and” at the end of subpara-
6 graph (O);

7 (2) by adding “and” at the end of subpara-
8 graph (P); and

9 (3) by adding at the end the following new sub-
10 paragraph:

11 “(Q) qualified acupuncturist services (as de-
12 fined in subsection (oo));”.

13 (b) PAYMENT RULES.—

14 (1) DETERMINATION OF AMOUNT OF PAY-
15 MENT.—Section 1833(a)(1) of such Act (42 U.S.C.
16 1395l(a)(1)) is amended—

17 (A) by striking “section 1834(h)(1), (M)”
18 and inserting “section 1834(h)(1), (N)”;

19 (B) by striking “subsection (r)(2)) and
20 (N)” and inserting “subsection (r)(2)), (O)”;
21 and

22 (C) by striking the semicolon at the end
23 and inserting the following: “, and (P) with re-
24 spect to qualified acupuncturist services de-
25 scribed in section 1861(s)(2)(Q), the amounts
26 paid shall be the amount determined by a fee

1 schedule established by the Secretary for pur-
2 poses of this subparagraph (but in no event
3 shall such amount exceed 65 percent of the fee
4 schedule amount provided under section 1848
5 for the same service performed by a physi-
6 cian);”.

7 (2) SEPARATE PAYMENT FOR SERVICES OF
8 INSTITUTIONAL PROVIDERS.—Section
9 1832(a)(2)(B)(iii) of such Act (42 U.S.C.
10 1395k(a)(2)(B)(iii)) is amended—

11 (A) by striking “and services” and insert-
12 ing “services”; and

13 (B) by striking the semicolon at the end
14 and inserting the following: “, and qualified
15 acupuncturist services described in section
16 1861(s)(2)(Q);”.

17 (c) SERVICES DESCRIBED.—Section 1861 of such
18 Act (42 U.S.C. 1395x) is amended by adding at the end
19 the following new subsection:

20 “Qualified Acupuncturist Services

21 “(oo)(1) The term ‘qualified acupuncturist services’
22 means such services furnished by a qualified acupuncturist
23 (as defined in paragraph (2)) and such services and sup-
24 plies furnished as an incident to services furnished by the
25 qualified acupuncturist which the qualified acupuncturist

1 is legally authorized to perform under State law (or the
2 State regulatory mechanism provided by State law).

3 “(2) The term ‘qualified acupuncturist’ means an in-
4 dividual who has been certified, licensed, or registered as
5 an acupuncturist by a State (or the State regulatory
6 mechanism provided by State law).”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to services furnished on or after
9 January 1, 1994.

10 **SEC. 3. COVERAGE OF ACUPUNCTURIST SERVICES UNDER**
11 **FEDERAL EMPLOYEES HEALTH BENEFIT**
12 **PLANS.**

13 (a) IN GENERAL.—Section 8902(k)(1) of title 5,
14 United States Code, is amended by inserting
15 “acupuncturist,” after “nurse midwife,” each place it ap-
16 pears.

17 (b) APPLICABILITY.—The amendment made by sub-
18 section (a) shall apply with respect to services provided
19 after December 31, 1993.

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