

103^D CONGRESS
1ST SESSION

H. R. 425

To amend title XIX of the Social Security Act to require State medicaid plans to provide coverage of screening mammography.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mrs. VUCANOVICH introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

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 “Medicaid Mammog-
5 raphy Coverage Act of 1993”.

6 **SEC. 2. COVERAGE OF SCREENING MAMMOGRAPHY UNDER**
7 **MEDICAID.**

8 (a) IN GENERAL.—Section 1905(a) of the Social Se-
9 curity Act (42 U.S.C. 1396d(a)), as amended by the Om-
10 nibus Budget Reconciliation Act of 1990, is amended—

1 (1) by striking “and” at the end of paragraph
2 (21);

3 (2) in paragraph (24), by striking the comma
4 at the end and inserting a semicolon;

5 (3) by redesignating paragraphs (22), (23), and
6 (24) as paragraphs (21), (22), and (23), respec-
7 tively, and by transferring and inserting paragraph
8 (25) after paragraph (23), as so redesignated; and

9 (4) by inserting after paragraph (23) the fol-
10 lowing new paragraph:

11 “(24) screening mammography (as defined in
12 subsection (t)(1)) that meets the quality standards
13 established under section 1834(c)(3), to the extent
14 consistent with the frequency permitted under sub-
15 section (t)(2); and”.

16 (b) FREQUENCY OF COVERAGE.—Section 1905 of the
17 Social Security Act (42 U.S.C. 1396d) is amended by add-
18 ing at the end the following new subsection:

19 “(t) COVERAGE OF SCREENING MAMMOGRAPHY.—

20 “(1) DEFINITION.—The term ‘screening mam-
21 mography’ means a radiologic procedure provided to
22 a woman for the purpose of early detection of breast
23 cancer and includes a physician’s interpretation of
24 the results of the procedure.

25 “(2) FREQUENCY COVERED.—

1 “(A) IN GENERAL.—Subject to revision by
2 the Secretary under subparagraph (B)—

3 “(i) Medical assistance is not required
4 to be made under this title for screening
5 mammography performed on a woman
6 under 35 years of age.

7 “(ii) Medical assistance is available
8 under this title for only 1 screening mam-
9 mography performed on a woman over 34
10 years of age, but under 40 years of age.

11 “(iii) In the case of a woman over 39
12 years of age, but under 50 years of age,
13 who—

14 “(I) is at a high risk of develop-
15 ing breast cancer (as determined pur-
16 suant to factors identified by the Sec-
17 retary), medical assistance is not re-
18 quired to be made available under this
19 title for a screening mammography
20 performed within 11 months of a pre-
21 vious screening mammography, or

22 “(II) is not at a high risk of de-
23 veloping breast cancer, medical assist-
24 ance is not required to be made avail-
25 able under this title for a screening

1 mammography performed within 23
2 months of a previous screening mam-
3 mography.

4 “(iv) In the case of a woman over 49
5 years of age, medical assistance is not re-
6 quired to be made available under this title
7 for screening mammography performed
8 within 11 months of a previous screening
9 mammography.

10 “(B) REVISION OF FREQUENCY.—

11 “(i) REVIEW.—The Secretary, in con-
12 sultation with the Director of the National
13 Cancer Institute, shall review periodically
14 appropriate frequency for performing
15 screening mammography, based on age
16 and such other factors as the Secretary be-
17 lieves to be pertinent.

18 “(ii) REVISION OF FREQUENCY.—The
19 Secretary, taking into consideration the re-
20 view made under clause (i), may revise
21 from time to time the frequency with
22 which medical assistance is required to be
23 made available under this title, but no such
24 revision shall apply to screening mammog-
25 raphy performed before January 1, 1993.”.

1 (c) CONFORMING AMENDMENTS.—(1) Section
2 1902(a)(10)(A) of such Act (42 U.S.C. 1396a(a)(10)(A))
3 is amended by striking “(17) and (21)” and inserting
4 “(17), (21) and (24)”.

5 (2) Section 1902(a)(10)(C)(iv) (42 U.S.C.
6 1396a(a)(10)(C)(iv)) is amended—

7 (A) by striking “(5) and (17)” and inserting
8 “(5), (17), and (24)”; and

9 (B) by striking “through (21)” and inserting
10 “through (24)”.

11 (3) Section 1902(j) (42 U.S.C. 1396a(j)) is amended
12 by striking “through (22)” and inserting “through (24)”.

13 (4) Sections 1916(a)(2)(D) and 1916(b)(2)(D) (42
14 U.S.C. 1396o(a)(2)(D), 1396o(b)(2)(D)) are each amend-
15 ed by inserting “services described in section
16 1905(a)(24)” before “family planning services”.

17 (d) EFFECTIVE DATE.—(1) Except as provided in
18 paragraph (2), the amendments made by subsections (a),
19 (b), and (c) shall apply to screening mammography per-
20 formed on or after January 1, 1994, without regard to
21 whether or not final regulations to carry out such amend-
22 ments have been promulgated by such date.

23 (2) In the case of a State plan for medical assistance
24 under title XIX of the Social Security Act which the Sec-
25 retary of Health and Human Services determines requires

1 State legislation (other than legislation appropriating
2 funds) in order for the plan to meet the additional require-
3 ment imposed by the amendments made by this section,
4 the State plan shall not be regarded as failing to comply
5 with the requirements of such title solely on the basis of
6 its failure to meet this additional requirement before the
7 first day of the first calendar quarter beginning after the
8 close of the first regular session of the State legislature
9 that begins after the date of the enactment of this Act.
10 For purposes of the previous sentence, in the case of a
11 State that has a 2-year legislative session, each year of
12 such session shall be deemed to be a separate regular ses-
13 sion of the State legislature.

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