

104TH CONGRESS
1ST SESSION

H. R. 780

To amend title XIX of the Social Security Act to provide for coverage of prostate cancer screening tests under the medicaid program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 1995

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

A BILL

To amend title XIX of the Social Security Act to provide for coverage of prostate cancer screening tests under the medicaid 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 “Medicaid Prostate
5 Cancer Screening Act of 1995”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Prostate cancer is the second leading cause
9 of cancer death among men.

1 (2) An estimated 244,000 new cases of prostate
2 cancer in the United States are expected during
3 1995.

4 (3) An estimated 40,400 men are expected to
5 die of prostate cancer during 1995.

6 (4) The incidence of prostate cancer increases
7 with age and over 80 percent of all prostate cancers
8 are diagnosed in men over age 65.

9 (5) Early detection of prostate cancer is the
10 best way to control its growth and treat the tumors.

11 (6) Survival rates for prostate cancer have
12 steadily improved from 50 percent to 80 percent in
13 the past 30 years largely due to increases in the
14 early detection of the disease.

15 (7) The American Cancer Society and other
16 health organizations recommend an annual digital
17 rectal examination for men starting at age 40 and
18 an annual prostate-specific antigen blood test start-
19 ing at age 50.

20 (8) Lower-income men are often unable to af-
21 ford recommended cancer screening.

22 (9) Many lower-income men receive health care
23 benefits under the medicaid program.

1 **SEC. 3. COVERAGE OF PROSTATE CANCER SCREENING**
2 **TESTS UNDER MEDICAID.**

3 (a) IN GENERAL.—Section 1905(a) of the Social Se-
4 curity Act (42 U.S.C. 1396d(a)) is amended—

5 (1) by striking “and” at the end of paragraph
6 (24);

7 (2) by redesignating paragraph (25) as para-
8 graph (26); and

9 (3) by inserting after paragraph (24) the fol-
10 lowing new paragraph:

11 “(25) prostate cancer screening tests (as de-
12 fined in subsection (t)); and”.

13 (b) DEFINITION.—Section 1905 of such Act (42
14 U.S.C. 1396d) is amended by adding at the end the follow-
15 ing new subsection:

16 “(t) The term ‘prostate cancer screening test’ means
17 a test that consists of a digital rectal examination or a
18 prostate-specific antigen blood test (or both) provided for
19 the purpose of early detection of prostate cancer to a man
20 over 40 years of age who has not had such a test during
21 the preceding year.”.

22 (c) MAKING COVERAGE MANDATORY.—Section
23 1902(a)(10)(A) of such Act (42 U.S.C. 1396a(a)(10)(A))
24 is amended by striking “(17) and (21)” and inserting
25 “(17), (21) and (25)”.

1 (d) 100 PERCENT FEDERAL MATCH FOR TESTS.—
2 Section 1905(b) of such Act (42 U.S.C. 1396d(b)) is
3 amended by adding at the end the following: “Notwith-
4 standing the first sentence of this subsection, the Federal
5 medical assistance percentage shall be 100 percent with
6 respect to amounts expended for medical assistance con-
7 sisting of prostate cancer screening tests (as defined in
8 subsection (t)).”.

9 (e) CONFORMING AMENDMENTS.—(1) Section
10 1902(a)(10)(C)(iv) (42 U.S.C. 1396a(a)(10)(C)(iv)) is
11 amended—

12 (A) by striking “(5) and (17)” and inserting
13 “(5), (17), and (25)”; and

14 (B) by striking “through (21)” and inserting
15 “through (25)”.

16 (2) Section 1902(j) (42 U.S.C. 1396a(j)) is amended
17 by striking “through (22)” and inserting “through (26)”.

18 (f) EFFECTIVE DATE.—(1) Except as provided in
19 paragraph (2), the amendments made by this section shall
20 apply to prostate cancer screening tests performed on or
21 after January 1, 1996, without regard to whether or not
22 final regulations to carry out such amendments have been
23 promulgated by such date.

24 (2) In the case of a State plan for medical assistance
25 under title XIX of the Social Security Act which the Sec-

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

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