

103^D CONGRESS
1ST SESSION

H. R. 315

To limit medicare denials by peer review organizations of medically necessary inpatient hospital services.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. QUILLEN introduced the following bill; which was referred jointly to the Committees on Ways and Means and Energy and Commerce

A BILL

To limit medicare denials by peer review organizations of medically necessary inpatient hospital services.

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. LIMITATION ON MEDICARE DENIAL OF MEDI-**
4 **CALLY NECESSARY INPATIENT HOSPITAL**
5 **SERVICES.**

6 (a) IN GENERAL.—Notwithstanding any provision of
7 the medicare program to the contrary, except as provided
8 in subsection (b), payment may not be denied by the Sec-
9 retary or a PRO under the medicare program with respect
10 to inpatient hospital services on the basis that the services

1 were not reasonable and medically necessary (or not allow-
2 able under subsection (a)(1) or (a)(9) of section 1862 of
3 the Social Security Act) if a physician has made the cer-
4 tification required under section 1814(a)(3) of such Act
5 with respect to the services.

6 (b) EXCEPTION.—Subsection (a) shall not apply to
7 inpatient hospital services ordered by a physician whom
8 the Secretary or PRO has determined (after notice and
9 opportunity for a hearing) has a clear pattern of certifying
10 as reasonable and medically necessary inpatient hospital
11 services that are not reasonable and medically necessary.

12 (c) DEFINITIONS.—In this section:

13 (1) The term “medicare program” refers to the
14 programs under title XVIII of the Social Security
15 Act, and includes the peer review program estab-
16 lished under part B of title XI of such Act.

17 (2) The term “PRO” refers to a utilization and
18 quality control peer review organization which has a
19 contract under part B of title XI of the Social Secu-
20 rity Act.

21 (3) The term “Secretary” means the Secretary
22 of Health and Human Services.

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