

107TH CONGRESS
1ST SESSION

H. R. 2117

To amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the Medicare Program for beneficiaries with cardiovascular disease.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2001

Mr. UPTON (for himself, Ms. ESHOO, Mr. HOFFEL, Ms. ROS-LEHTINEN, Mr. BALDACCI, Mr. BAKER, Mr. ANDREWS, Mr. SNYDER, Mr. CAMP, Ms. PRICE of Ohio, Mr. UDALL of New Mexico, Mr. HUTCHINSON, Mr. KING, Mr. JEFFERSON, Mr. PICKERING, Mr. SIMMONS, Mr. NORWOOD, Mr. WICKER, Mr. PASTOR, Mr. BONIOR, Mr. BLUMENAUER, Mr. ROSS, Mr. CRAMER, Ms. KILPATRICK, Mr. ACKERMAN, Mr. HINCHEY, Mr. BOUCHER, Mr. PAUL, Mr. SAXTON, Mr. HOUGHTON, Mr. GREEN of Texas, Mr. ABERCROMBIE, Mr. TANNER, Mr. CARSON of Oklahoma, Ms. RIVERS, Mrs. JONES of Ohio, Mr. STRICKLAND, Mr. TOOMEY, Mr. FARR of California, Mr. PRICE of North Carolina, Mr. VISCLOSKY, Mrs. EMERSON, Mrs. THURMAN, Mr. GOODLATTE, Ms. LEE, Mr. SOUDER, Mr. SKELTON, Mr. SANDLIN, Mr. LATOURETTE, Ms. JACKSON-LEE of Texas, Mr. SHAYS, Mr. DEUTSCH, Mrs. MORELLA, Mr. TIERNEY, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the Medicare Program for beneficiaries with cardiovascular disease.

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 “Medicare Medical Nu-
5 trition Therapy Amendment Act of 2001”.

6 **SEC. 2. COVERAGE OF MEDICAL NUTRITION THERAPY**
7 **SERVICES FOR BENEFICIARIES WITH CAR-**
8 **DIOVASCULAR DISEASES.**

9 (a) IN GENERAL.—Section 1861(s)(2)(V) of the So-
10 cial Security Act (42 U.S.C. 1395x(s)(2)(V)), as added by
11 subsection (a) of section 105 of the Medicare, Medicaid,
12 and SCHIP Benefits Improvement and Protection Act of
13 2000 (114 Stat. 2763A–471), as enacted into law by sec-
14 tion 1(a)(6) of Public Law 106–554, is amended to read
15 as follows:

16 “(V) medical nutrition therapy services (as de-
17 fined in subsection (vv)(1)) in the case of a
18 beneficiary—

19 “(i) with a cardiovascular disease (includ-
20 ing congestive heart failure, arteriosclerosis,
21 hyperlipidemia, hypertension, and
22 hypercholesterolemia), diabetes, or a renal dis-
23 ease (or a combination of such conditions)
24 who—

1 “(I) has not received diabetes out-
2 patient self-management training services
3 within a time period determined by the
4 Secretary;

5 “(II) is not receiving maintenance di-
6 alysis for which payment is made under
7 section 1881; and

8 “(III) meets such other criteria deter-
9 mined by the Secretary after consideration
10 of protocols established by dietitian or nu-
11 trition professional organizations; or

12 “(ii) with a combination of such conditions
13 who—

14 “(I) is not described in clause (i) be-
15 cause of the application of subclause (I) or
16 (II) of such clause;

17 “(II) receives such medical nutrition
18 therapy services in a coordinated manner
19 (as determined appropriate by the Sec-
20 retary) with any services described in such
21 subclauses that the beneficiary is receiving;
22 and

23 “(III) meets such other criteria deter-
24 mined by the Secretary after consideration

1 of protocols established by dietitian or nu-
2 trition professional organizations;”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall take effect as if included in the enact-
5 ment of such section 105.

○