

108TH CONGRESS
1ST SESSION

H. R. 1225

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

MARCH 12, 2003

Mr. UPTON (for himself, Ms. ESHOO, Mr. HAYWORTH, Mr. BECERRA, Mr. TERRY, Mr. TANNER, Mr. GORDON, and Mr. FROST) 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 2003”.

1 **SEC. 2. COVERAGE OF MEDICAL NUTRITION THERAPY**
2 **SERVICES FOR BENEFICIARIES WITH CAR-**
3 **DIOVASCULAR DISEASES.**

4 (a) IN GENERAL.—Section 1861(s)(2)(V) of the So-
5 cial Security Act (42 U.S.C. 1395x(s)(2)(V)) is amended
6 to read as follows:

7 “(V) medical nutrition therapy services (as de-
8 fined in subsection (vv)(1)) in the case of a bene-
9 ficiary—

10 “(i) with a cardiovascular disease (includ-
11 ing congestive heart failure, arteriosclerosis,
12 hyperlipidemia, hypertension, and
13 hypercholesterolemia), diabetes, or a renal dis-
14 ease (or a combination of such conditions)
15 who—

16 “(I) has not received diabetes out-
17 patient self-management training services
18 within a time period determined by the
19 Secretary;

20 “(II) is not receiving maintenance di-
21 alysis for which payment is made under
22 section 1881; and

23 “(III) meets such other criteria deter-
24 mined by the Secretary after consideration
25 of protocols established by dietitian or nu-
26 trition professional organizations; or

1 “(ii) with a combination of such conditions
2 who—

3 “(I) is not described in clause (i) be-
4 cause of the application of subclause (I) or
5 (II) of such clause;

6 “(II) receives such medical nutrition
7 therapy services in a coordinated manner
8 (as determined appropriate by the Sec-
9 retary) with any services described in such
10 subclauses that the beneficiary is receiving;
11 and

12 “(III) meets such other criteria deter-
13 mined by the Secretary after consideration
14 of protocols established by dietitian or nu-
15 trition professional organizations

16 for such number of hours as the Secretary may
17 specify, except that, in the case of a beneficiary with
18 a cardiovascular disease, such number may not ex-
19 ceed 3 hours in a year without a determination of
20 a physician that additional hours are medically nec-
21 essary in that year due to a change in medical condi-
22 tion, diagnosis, or treatment regime of the patient;”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply with respect to services fur-
3 nished on or after the date of the enactment of this Act.

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