

108TH CONGRESS
1ST SESSION

H. R. 2236

To amend title XVIII of the Social Security Act to provide coverage under the Medicare Program for diabetes laboratory diagnostic tests and other services to screen for diabetes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2003

Mr. GREEN of Texas (for himself, Mr. FLETCHER, Mr. WAXMAN, Mr. SERRANO, Mr. RODRIGUEZ, Mr. BELL, Mr. WELDON of Pennsylvania, Ms. JACKSON-LEE of Texas, Mr. FROST, Mr. TOWNS, Mr. HINOJOSA, Mr. GUTIERREZ, Ms. KAPTUR, Mr. KILDEE, Mr. ACKERMAN, Mr. McNULTY, Mr. GEORGE MILLER of California, Mr. HOEFFEL, Ms. SLAUGHTER, Mr. HALL, Mr. PAUL, Mr. NETHERCUTT, Ms. ESHOO, Mr. BECERRA, Mr. REYES, Mr. BURGESS, Mr. WYNN, Mr. MENENDEZ, Ms. LEE, Mr. BOSWELL, Mr. SANDERS, Mr. BOOZMAN, Ms. DEGETTE, and Mr. KENNEDY of Rhode Island) 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 provide coverage under the Medicare Program for diabetes laboratory diagnostic tests and other services to screen for diabetes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Access to Diabetes
3 Screening Services Act of 2003”.

4 **SEC. 2. MEDICARE COVERAGE OF DIABETES LABORATORY**
5 **DIAGNOSTIC TESTS.**

6 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-
7 curity Act (42 U.S.C. 1395x(s)(2)) is amended—

8 (1) in subparagraph (U), by striking “and” at
9 the end;

10 (2) in subparagraph (V)(iii), by inserting “and”
11 at the end; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(W) diabetes screening tests and services (as
15 defined in subsection (ww));”.

16 (b) **SERVICES DESCRIBED.**—Section 1861 of such
17 Act (42 U.S.C. 1395x) is amended by adding at the end
18 the following new subsection:

19 “Diabetes Screening Tests and Services

20 “(ww)(1) The term ‘diabetes screening tests’ means
21 diagnostic testing furnished to an individual at risk for
22 diabetes (as defined in paragraph (2)) for the purpose of
23 early detection of diabetes, including—

24 “(A) a fasting plasma glucose test; and

1 “(B) such other tests, and modifications to
2 tests, as the Secretary determines appropriate, in
3 consultation with appropriate organizations.

4 “(2) For purposes of paragraph (1), the term ‘indi-
5 vidual at risk for diabetes’ means an individual who has
6 any, a combination of, or all of the following risk factors
7 for diabetes:

8 “(A) A family history of diabetes.

9 “(B) Overweight defined as a body mass index
10 greater than or equal to 25 kg/m².

11 “(C) Habitual physical inactivity.

12 “(D) Belonging to a high-risk ethnic or racial
13 group.

14 “(E) Previous identification of an elevated im-
15 paired fasting glucose.

16 “(F) Identification of impaired glucose toler-
17 ance.

18 “(G) Hypertension.

19 “(H) Dyslipidemia.

20 “(I) History of gestational diabetes mellitus or
21 delivery of a baby weighing greater than 9 pounds.

22 “(J) Polycystic ovary syndrome.

23 “(3) The Secretary shall establish standards, in con-
24 sultation with appropriate organizations, regarding the
25 frequency of diabetes screening tests, except that such fre-

1 quency may not be more often than twice within the 12-
2 month period following the date of the most recent diabe-
3 tes screening test of that individual.”.

4 (c) FREQUENCY.—Section 1862(a)(1) of such Act
5 (42 U.S.C. 1395y(a)(1)) is amended—

6 (1) by striking “and” at the end of subpara-
7 graph (H);

8 (2) by striking the semicolon at the end of sub-
9 paragraph (I) and inserting “, and”; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(J) in the case of a diabetes screening tests or
13 service (as defined in section 1861(w)(1)), which is
14 performed more frequently than is covered under
15 section 1861(w)(3).”.

16 (d) EFFECTIVE DATE.—The amendments made by
17 this section shall apply to tests furnished on or after the
18 date that is 90 days after the date of enactment of this
19 Act.

○