110TH CONGRESS 1ST SESSION S. 1715

To amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare program.

IN THE SENATE OF THE UNITED STATES

JUNE 27, 2007

Ms. SNOWE (for herself, Mr. KERRY, Mr. SMITH, Mr. BIDEN, Ms. COLLINS, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

- To amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare 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 "Medicare Mental
- 5 Health Copayment Equity Act of 2007".

1SEC. 2. ELIMINATION OF DISCRIMINATORY COPAYMENT2RATES FOR MEDICARE OUTPATIENT PSY-3CHIATRIC SERVICES.

4 Section 1833(c) of the Social Security Act (42 U.S.C.
5 1395l(c)) is amended to read as follows:

6 "(c)(1) Notwithstanding any other provision of this 7 part, with respect to expenses incurred in a calendar year 8 in connection with the treatment of mental, psycho-9 neurotic, and personality disorders of an individual who 10 is not an inpatient of a hospital at the time such expenses 11 are incurred, there shall be considered as incurred ex-12 penses for purposes of subsections (a) and (b)—

"(A) for expenses incurred in any calendar year
that begins before the date of enactment of the
Medicare Mental Health Copayment Equity Act of
2007 (including the calendar year in which such Act
is enacted), only 62¹/₂ percent of such expenses;

18 "(B) for expenses incurred in the first calendar
19 year that begins after the date of enactment of such
20 Act, only 68³/₄ percent of such expenses;

21 "(C) for expenses incurred in the second cal22 endar year that begins after the date of enactment
23 of such Act, only 75 percent of such expenses;

24 "(D) for expenses incurred in the third calendar
25 year that begins after the date of enactment of such
26 Act, only 81¹/₄ percent of such expenses;

"(E) for expenses incurred in the fourth cal-1 2 endar year that begins after the date of enactment 3 of such Act, only 87¹/₂ percent of such expenses; "(F) for expenses incurred in the fifth calendar 4 5 year that begins after the date of enactment of such 6 Act, only 93³/₄ percent of such expenses; and "(G) for expenses incurred in the sixth calendar 7 8 year that begins after the date of enactment of such 9 Act, or any subsequent calendar year, 100 percent 10 of such expenses. "(2) For purposes of subparagraphs (A) through (F) 11 12 of paragraph (1), the term 'treatment' does not include brief office visits (as defined by the Secretary) for the sole 13 purpose of monitoring or changing drug prescriptions used 14 15 in the treatment of such disorders or partial hospitalization services that are not directly provided by a physi-16 17 cian.".

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