

112TH CONGRESS
2D SESSION

S. 3337

To amend title XVIII of the Social Security Act to provide for the elimination of the Medicare sustainable growth rate (SGR) formula to ensure access to physicians' services for Medicare beneficiaries.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2012

Mr. PAUL 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 provide for the elimination of the Medicare sustainable growth rate (SGR) formula to ensure access to physicians' services for Medicare beneficiaries.

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 “Access to Physicians
5 in Medicare Act of 2012”.

1 **SEC. 2. ELIMINATION OF SUSTAINABLE GROWTH RATE**
 2 **FORMULA.**

3 (a) UPDATE FOR 2013 AND SUBSEQUENT YEARS.—
 4 Section 1848(d) of the Social Security Act (42 U.S.C.
 5 1395w–4(d)) is amended by adding at the end the fol-
 6 lowing new paragraph:

7 “(14) UPDATE FOR 2013 AND SUBSEQUENT
 8 YEARS.—In lieu of the update to the single conver-
 9 sion factor established in paragraph (1)(C) that
 10 would otherwise apply for 2013 and each subsequent
 11 year, the update to the single conversion factor for
 12 each such year shall be the lesser of—

13 “(A) the annual percentage increase in the
 14 Consumer Price Index for Urban Wage Earners
 15 and Clerical Workers for the year; and

16 “(B) 3.0 percent.”.

17 (b) CONFORMING SUNSET OF THE MEDICARE SUS-
 18 TAINABLE GROWTH RATE (SGR) FORMULA.—Section
 19 1848(f) of the Social Security Act (42 U.S.C. 1395w–4(f))
 20 is amended—

21 (1) in paragraph (1)(B), by inserting “(ending
 22 with 2011)” after “each succeeding year”; and

23 (2) in paragraph (2), by inserting “and ending
 24 with 2012” after “beginning with 2000” in the mat-
 25 ter preceding subparagraph (A).

1 **SEC. 3. REPEAL OF MANDATORY HEALTH CARE COVERAGE**
2 **EXPANSION UNDER THE PATIENT PROTEC-**
3 **TION AND AFFORDABLE CARE ACT AND THE**
4 **HEALTH CARE AND EDUCATION RECONCILI-**
5 **ATION ACT OF 2010.**

6 (a) REPEAL OF MANDATORY MEDICAID AND CHIP
7 EXPANSION UNDER PPACA.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), effective as of the date of enactment of
10 the Patient Protection and Affordable Care Act
11 (Public Law 111–148), any provision of such Act or
12 an amendment made by such Act that amends or
13 authorizes a program or activity with respect to the
14 Medicaid program under title XIX of the Social Se-
15 curity Act or the Children’s Health Insurance Pro-
16 gram under title XXI of the Social Security Act is
17 repealed, and Public Law 111–148 and the Social
18 Security Act shall be applied without regard to such
19 provision or as if such provision had not been en-
20 acted.

21 (2) EXEMPTION FOR PROGRAM INTEGRITY PRO-
22 VISIONS.—The repeal under paragraph (1) does not
23 apply to the provisions of, and amendments made
24 by, title IV of Public Law 111–148 (relating to
25 transparency and program integrity).

1 (b) REPEAL OF PROVISIONS RELATED TO MANDA-
 2 TORY ESTABLISHMENT OF STATE-BASED EXCHANGES
 3 UNDER PPACA.—Effective as of the date of enactment
 4 of the Patient Protection and Affordable Care Act, title
 5 I of such Act is repealed, and the provisions of law amend-
 6 ed or repealed by such title are restored or revived as if
 7 such title had not been enacted.

8 (c) REPEAL OF PROVISIONS RELATED TO MEDICAID
 9 OR STATE-BASED EXCHANGES UNDER HCERA.—Effec-
 10 tive as of the date of enactment of the Health Care and
 11 Education Reconciliation Act of 2010 (Public Law 111–
 12 152), subtitles A and C of title I of such Act are repealed,
 13 and the provisions of law amended or repealed by such
 14 subtitles are restored or revived as if such subtitles had
 15 not been enacted.

16 **SEC. 4. SAVINGS TO BE USED TO REDUCE THE FEDERAL**
 17 **DEFICIT.**

18 Any reduced Federal expenditures from the provi-
 19 sions of, and amendments made by, this Act shall be used
 20 to reduce the Federal deficit.

○