

113TH CONGRESS  
1ST SESSION

# H. R. 2330

To amend title XVIII of the Social Security Act to provide comprehensive audiology services to Medicare beneficiaries, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2013

Mr. BILIRAKIS (for himself, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. GUTHRIE, Mr. MICHAUD, Mr. MCKINLEY, Mr. GERLACH, Mr. HUIZENGA of Michigan, and Mr. MEEHAN) 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

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## A BILL

To amend title XVIII of the Social Security Act to provide comprehensive audiology services to Medicare beneficiaries, and for other purposes.

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 Audiology  
5 Services Enhancement Act of 2013”.

1 **SEC. 2. COMPREHENSIVE AUDIOLOGY SERVICES FOR MEDI-**  
2 **CARE BENEFICIARIES.**

3 (a) IN GENERAL.—Section 1861 of the Social Secu-  
4 rity Act (42 U.S.C. 1395x) is amended—

5 (1) in subsection (s)(2)—

6 (A) in subparagraph (EE), by striking  
7 “and” at the end;

8 (B) in subparagraph (FF), by adding  
9 “and” at the end; and

10 (C) by adding at the end the following new  
11 subparagraph:

12 “(GG) audiology services (as defined in  
13 subsection (ll)(3));”; and

14 (2) by amending paragraph (3) of subsection  
15 (ll) to read as follows:

16 “(3) The term ‘audiology services’ means only the fol-  
17 lowing services furnished by a qualified audiologist as the  
18 audiologist is legally authorized to perform under State  
19 law (or the State regulatory mechanism provided by State  
20 law), pursuant to an order or referral by a physician, as  
21 would otherwise be covered if furnished by a physician:

22 “(A) Hearing and balance assessment services.

23 “(B) Auditory treatment services, including au-  
24 ditory processing and auditory rehabilitation treat-  
25 ment.

26 “(C) Vestibular treatment services.

1           “(D) Intraoperative neurophysiologic moni-  
2           toring services.”.

3           (b) PAYMENT UNDER PART B UNDER PHYSICIAN  
4 FEE SCHEDULE FOR COMPREHENSIVE AUDIOLOGY SERV-  
5 ICES.—Section 1848(j)(3) of the Social Security Act (42  
6 U.S.C. 1395w-4(j)(3)) is amended by inserting  
7 “(2)(GG),” before “(3),”.

8           (c) AUDIOLOGY SERVICES PERFORMED IN HOS-  
9 PITALS EXCLUDED FROM INPATIENT HOSPITAL SERV-  
10 ICES.—Section 1861(b)(4) of the Social Security Act (42  
11 U.S.C. 1395x(b)(4)) is amended by striking “and services  
12 of a certified registered nurse anesthetist” and inserting  
13 “services of a certified registered nurse anesthetist, and  
14 inter-operative neurophysiological monitoring provided by  
15 a physician or qualified audiologist (as defined in sub-  
16 section (ll)(4)(B))”.

17           (d) REQUIREMENTS OF SERVICE.—Section  
18 1835(a)(2) of the Social Security Act (42 U.S.C.  
19 1395n(a)(2)) is amended—

20           (1) in subparagraph (B), by striking “and (D)”  
21           and inserting “(D), and (GG)”;

22           (2) by striking “and” at the end of subpara-  
23           graph (E);

24           (3) by striking the period at the end of sub-  
25           paragraph (F) and inserting “; and”; and

1           (4) by inserting after subparagraph (F) the fol-  
2           lowing new subparagraph:

3                   “(G) in the case of outpatient audiology  
4                   services, (i) such services are or were required  
5                   because the individual needed the specialized  
6                   services of a physician or qualified audiologist  
7                   to furnish such audiology services, (ii) a plan of  
8                   care for furnishing such services has been es-  
9                   tablished by the physician or qualified audiolo-  
10                  gist and is submitted to and periodically re-  
11                  viewed by the referring or ordering physician,  
12                  and (iii) such services are or were furnished  
13                  while the individual is or was under the care of  
14                  a physician.”.

15           (e) AUDIOLOGY SERVICES INCLUDED AS DES-  
16           IGNATED HEALTH SERVICES FOR PURPOSES OF LIMITA-  
17           TION ON CERTAIN PHYSICIAN REFERRALS.—Section  
18           1877(h)(6) of the Social Security Act (42 U.S.C.  
19           1395nn(h)(6)) is amended by adding at the end the fol-  
20           lowing new subparagraph:

21                   “(M) Audiology services (as defined in sec-  
22                   tion 1861(ll)(3)).”.

23           (f) PARTICIPATION IN MEDICARE.—Nothing in this  
24           section shall be construed to require a qualified audiologist  
25           (as defined in section 1861(ll)(4)(B) of the Social Security

1 Act (42 U.S.C. 1395x(ll)(4)(B))) to participate in the  
2 Medicare program under title XVIII of the Social Security  
3 Act (42 U.S.C. 1395 et seq.).

4 (g) EFFECTIVE DATE.—The amendments made by  
5 this section shall apply to services furnished on or after  
6 January 1, 2014.

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