

113TH CONGRESS
1ST SESSION

H. R. 3749

To provide for a Medicare demonstration project to evaluate the fiscal impact of covering low vision devices as durable medical equipment under part B of the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2013

Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. BILIRAKIS) 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 provide for a Medicare demonstration project to evaluate the fiscal impact of covering low vision devices as durable medical equipment under part B of 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 Demonstra-
5 tion of Coverage for Low Vision Devices Act of 2013”.

1 **SEC. 2. DEMONSTRATION OF MEDICARE COVERAGE OF**
2 **LOW VISION DEVICES AS DURABLE MEDICAL**
3 **EQUIPMENT.**

4 (a) ESTABLISHMENT OF DEMONSTRATION
5 PROJECT.—

6 (1) IN GENERAL.—Beginning not later than 1
7 year after the date of the enactment of this Act, the
8 Secretary of Health and Human Services (in this
9 section referred to as the “Secretary”) shall com-
10 mence a project (in this section referred to as the
11 “demonstration project”) to demonstrate and evalu-
12 ate the impact of covering low vision devices (includ-
13 ing subsets of such devices) under part B of title
14 XVIII of the Social Security Act in the same or
15 similar manner as coverage is provided for durable
16 medical equipment under such part.

17 (2) LOW VISION DEVICE DEFINED.—In this sec-
18 tion, the term “low vision device” means a device,
19 prescribed by a physician, that magnifies, enhances,
20 or otherwise augments or interprets visual images ir-
21 respective of the size, form, or technological features
22 of such device and does not include ordinary eye-
23 glasses or contact lenses or a device that is other-
24 wise available for non-prescription retail sale to the
25 general public at a cost of less than \$500. In the
26 previous sentence, the term “ordinary eyeglasses or

1 contact lenses” means lenses that are intended to
2 fully correct visual acuity or eliminate refractive
3 error.

4 (b) PROJECT DETAILS.—

5 (1) ELIGIBLE PARTICIPANTS.—An individual
6 enrolled under such part is eligible to participate in
7 the demonstration project if an ophthalmologist or
8 optometrist, after a clinical evaluation, has deter-
9 mined and certifies through a prescription that fur-
10 nishing a low vision device to the individual is medi-
11 cally necessary.

12 (2) NATIONAL SCOPE AND DURATION.—The
13 demonstration project shall be national in scope and
14 shall be conducted for a period of 5 years.

15 (3) PROJECT DESIGN.—The Secretary shall de-
16 sign the demonstration project in a manner so as to
17 provide a rich, well-structured, and defined data set
18 from which inferences about the impact of the
19 project can be made using appropriate statistical
20 methods.

21 (4) CONSULTATION.—In conducting the dem-
22 onstration project the Secretary shall consult with
23 organizations of consumers with vision loss and
24 other stakeholder organizations.

25 (c) REPORTS.—

1 (1) INTERIM REPORT.—Not later than 180
2 days after the last day of the third year of the dem-
3 onstration project, the Secretary shall submit to the
4 Committee on Finance of the Senate and to the
5 Committees on Ways and Means and Energy and
6 Commerce of the House of Representatives a report
7 that describes the progress and preliminary findings
8 from the demonstration project.

9 (2) FINAL REPORT.—Not later than 180 days
10 after the last day of the demonstration project and
11 after solicitation and consideration of formal written
12 input on the project from organizations representing
13 consumers with vision loss and other stakeholder or-
14 ganizations, the Secretary shall submit to such Com-
15 mittees a final report on the project. Such report
16 shall include an evaluation of the fiscal impact on
17 the Medicare program of providing coverage of low
18 vision devices and such other findings and rec-
19 ommendations as the Secretary deems appropriate.

20 (d) FUNDING.—For fiscal year 2014 and for each of
21 the four succeeding fiscal years, out of any funds in the
22 Treasury not otherwise appropriated, \$2,500,000 is ap-
23 propriated to the Secretary to carry out the demonstration
24 project.

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