

113TH CONGRESS  
1ST SESSION

# S. 1180

To amend title XI of the Social Security Act to provide for the public availability of Medicare claims data.

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IN THE SENATE OF THE UNITED STATES

JUNE 18, 2013

Mr. GRASSLEY (for himself, Mr. WYDEN, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XI of the Social Security Act to provide for the public availability of Medicare claims data.

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 Data Access  
5       for Transparency and Accountability Act”.

6       **SEC. 2. PUBLIC AVAILABILITY OF MEDICARE CLAIMS DATA.**

7       (a) IN GENERAL.—Section 1128J of the Social Secu-  
8       rity Act (42 U.S.C. 1320a–7k) is amended by adding at  
9       the end the following new subsection:

1 “(f) PUBLIC AVAILABILITY OF MEDICARE CLAIMS  
2 DATA.—

3 “(1) IN GENERAL.—The Secretary shall, to the  
4 extent consistent with applicable information, pri-  
5 vacy, security, and disclosure laws, including the  
6 regulations promulgated under the Health Insurance  
7 Portability and Accountability Act of 1996 and sec-  
8 tion 552a of title 5, United States Code, make avail-  
9 able to the public claims and payment data of the  
10 Department of Health and Human Services related  
11 to title XVIII, including data on payments made to  
12 any provider of services or supplier under such title.

13 “(2) IMPLEMENTATION.—

14 “(A) IN GENERAL.—Not later than De-  
15 cember 31, 2014, the Secretary shall promul-  
16 gate regulations to carry out this subsection.

17 “(B) REQUIREMENTS.—The regulations  
18 promulgated under subparagraph (A) shall en-  
19 sure that—

20 “(i) the data described in paragraph  
21 (1) is made available to the public through  
22 a searchable database that the public can  
23 access at no cost;

24 “(ii) such database—

1           “(I) includes the amount paid to  
2           each provider of services or supplier  
3           under title XVIII, the items or serv-  
4           ices for which such payment was  
5           made, and the location of the provider  
6           of services or supplier;

7           “(II) is organized based on the  
8           specialty or the type of provider of  
9           services or supplier involved;

10          “(III) is searchable based on the  
11          type of items or services furnished;  
12          and

13          “(IV) includes a disclaimer that  
14          the aggregate data in the database  
15          does not reflect on the quality of the  
16          items or services furnished or of the  
17          provider of services or supplier who  
18          furnished the items or services; and

19          “(iii) each provider of services or sup-  
20          plier in the database is identified by a  
21          unique identifier that is available to the  
22          public (such as the National Provider Iden-  
23          tifier of the provider of services or sup-  
24          plier).

1                   “(C) SCOPE OF DATA.—The database shall  
2                   include data for fiscal year 2014, and each fis-  
3                   cal year thereafter.”.

4           (b) INFORMATION NOT EXEMPT UNDER THE FREE-  
5   DOM OF INFORMATION ACT.—The term “personnel and  
6   medical files and similar files the disclosure of which  
7   would constitute a clearly unwarranted invasion of per-  
8   sonal privacy”, as used in section 552(b)(6) of title 5,  
9   United States Code, does not include the information re-  
10   quired to be made available to the public under section  
11   1128J(f) of the Social Security Act, as added by sub-  
12   section (a).

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