

116TH CONGRESS
1ST SESSION

H. R. 5057

To clarify the treatment of pass-through status under the Medicare outpatient payment system for certain drugs.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2019

Mr. TONKO (for himself and Mr. MCKINLEY) 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 clarify the treatment of pass-through status under the Medicare outpatient payment system for certain drugs.

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 “Pass-Through Tech-
5 nical Corrections Act”.

6 **SEC. 2. CLARIFICATION OF PASS-THROUGH STATUS UNDER**

7 **MEDICARE OPPS FOR CERTAIN DRUGS.**

8 Notwithstanding section 1301 of the Consolidated
9 Appropriations Act of 2018 (Public Law 115–141), in the

1 case of a radiopharmaceutical drug for which pass-through
2 status was provided pursuant to section 1833(t)(6) of the
3 Social Security Act (42 U.S.C. 1395l(t)(6)) and whose pe-
4 riod of pass-through status initially expired on either De-
5 cember 31, 2017, or December 31, 2018, if such radio-
6 pharmaceutical drug is indicated for positron emission to-
7 mography beta amyloid imaging covered under a coverage
8 evidence development determination under section
9 1862(a)(1)(E) of the Social Security Act (42 U.S.C.
10 1395y(a)(1)(E)), then such pass-through status shall be
11 extended until such date that the coverage with evidence
12 development review is determined by the Centers for Medi-
13 care & Medicaid Services to be completed.

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