

116TH CONGRESS  
1ST SESSION

# S. 1423

To amend titles XVIII and XIX of the Social Security Act to provide for coverage of dental, vision, and hearing care under the Medicare and Medicaid programs.

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## IN THE SENATE OF THE UNITED STATES

MAY 13, 2019

Mr. CASEY (for himself and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend titles XVIII and XIX of the Social Security Act to provide for coverage of dental, vision, and hearing care under the Medicare and Medicaid programs.

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 and Medicaid  
5 Dental, Vision, and Hearing Benefit Act of 2019”.

6 **SEC. 2. DENTAL AND ORAL HEALTH CARE UNDER MEDI-**  
7 **CARE.**

8 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
9 curity Act (42 U.S.C. 1395x(s)(2)) is amended—

1           (1) in subparagraph (GG), by striking “and”  
2 after the semicolon at the end;

3           (2) in subparagraph (HH), by adding “and”  
4 after the semicolon at the end; and

5           (3) by adding at the end the following new sub-  
6 paragraph:

7           “(II) dental and oral health services (as defined  
8 in subsection (kkk));”.

9           (b) DENTAL AND ORAL HEALTH SERVICES DE-  
10 FINED.—Section 1861 of the Social Security Act (42  
11 U.S.C. 1395x) is amended by adding at the end the fol-  
12 lowing new subsection:

13                   “Dental and Oral Health Services

14           “(kkk) The term ‘dental and oral health services’  
15 means—

16                   “(1) routine dental cleanings and exams;

17                   “(2) basic dental services, such as fillings and  
18 crowns;

19                   “(3) major dental services, such as root canals,  
20 and extractions;

21                   “(4) emergency dental care; and

22                   “(5) other necessary services related to dental  
23 or oral health (as defined by the Secretary).”.

24           (c) PAYMENT; COINSURANCE; AND LIMITATIONS.—

1           (1) IN GENERAL.—Section 1833(a)(1) of the  
2 Social Security Act (42 U.S.C. 1395l(a)(1)) is  
3 amended—

4           (A) by striking “and” before “(CC)”; and

5           (B) by inserting before the semicolon at  
6 the end the following: “, and (DD) with respect  
7 to dental and oral health services (as defined in  
8 section 1861(kkk)), the amount paid shall be  
9 the payment amount specified under section  
10 1834(x)”.

11           (2) PAYMENT AND LIMITS SPECIFIED.—Section  
12 1834 of the Social Security Act (42 U.S.C. 1395m)  
13 is amended by adding at the end the following new  
14 subsection:

15           “(x) PAYMENT AND LIMITS FOR DENTAL AND ORAL  
16 HEALTH SERVICES.—

17           “(1) IN GENERAL.—The payment amount  
18 under this part for dental and oral health services  
19 (as defined in section 1861(kkk)) shall be, subject to  
20 paragraph (3), the applicable percent (specified in  
21 paragraph (2)) of the lesser of the actual charge for  
22 the services or the amount determined under the  
23 payment basis determined under section 1848.

1           “(2) APPLICABLE PERCENT.—For purposes of  
2 paragraph (1), the applicable percent specified in  
3 this paragraph is—

4           “(A) for the first year beginning at least 6  
5 months after the date of the enactment of this  
6 subsection, 0 percent;

7           “(B) for the year following the year speci-  
8 fied in subparagraph (A) and each subsequent  
9 year through the seventh year following the  
10 year specified in subparagraph (A), the applica-  
11 ble percent specified in this paragraph for the  
12 previous year increased by 10 percentage  
13 points; and

14           “(C) for the eighth year following the year  
15 specified in subparagraph (A) and each subse-  
16 quent year, 80 percent.

17           “(3) LIMITATIONS AND SECRETARIAL AUTHOR-  
18 ITY.—

19           “(A) FREQUENCY.—With respect to dental  
20 and oral health services that are—

21           “(i) routine dental cleanings, payment  
22 may be made under this part for only two  
23 such cleanings during a 12-month period;  
24 and

1           “(ii) routine exams, payment may be  
2           made under this part for only two such  
3           exams during a 12-month period.

4           “(B) SECRETARIAL AUTHORITY.—

5           “(i) AUTHORITY TO APPLY ADDI-  
6           TIONAL LIMITATIONS.—The Secretary may  
7           apply such other reasonable limitations on  
8           the extent to which dental and oral services  
9           are covered under this part, including  
10          through application of a prior authoriza-  
11          tion requirement.

12          “(ii) AUTHORITY TO MODIFY COV-  
13          ERAGE.—Notwithstanding any other provi-  
14          sion of this title, if the Secretary deter-  
15          mines appropriate, the Secretary may mod-  
16          ify the coverage under this part of dental  
17          and oral health services to the extent that  
18          such modification is consistent with the  
19          recommendations of the United States Pre-  
20          ventive Services Task Force.”.

21          (d) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—  
22          Section 1848(j)(3) of the Social Security Act (42 U.S.C.  
23          1395w-4(j)(3)) is amended by inserting “(2)(II),” before  
24          “(3)”.

25          (e) DENTURES.—

1           (1) IN GENERAL.—Section 1861(s)(8) of the  
2 Social Security Act (42 U.S.C. 1395x(s)(8)) is  
3 amended—

4           (A) by striking “(other than dental)” and  
5 inserting “(including dentures)”; and

6           (B) by striking “internal body”.

7           (2) SPECIAL PAYMENT RULES.—Section  
8 1834(a) of the Social Security Act (42 U.S.C.  
9 1395m(a)) is amended by adding at the end the fol-  
10 lowing new paragraph:

11           “(23) PAYMENT AND LIMITS FOR DENTURES.—

12           “(A) IN GENERAL.—The payment amount  
13 under this part for dentures shall be, subject to  
14 subparagraph (C), the applicable percent (speci-  
15 fied in subparagraph (B)) of the amount other-  
16 wise payable for such dentures under this sec-  
17 tion.

18           “(B) APPLICABLE PERCENT.—For pur-  
19 poses of subparagraph (A), the applicable per-  
20 cent specified in this subparagraph is—

21           “(i) for the first year beginning at  
22 least 6 months after the date of the enact-  
23 ment of this paragraph, 0 percent;

24           “(ii) for the year following the year  
25 specified in clause (i) and each subsequent

1 year through the seventh year following the  
 2 year specified in clause (i), the applicable  
 3 percent specified in this subparagraph for  
 4 the previous year increased by 10 percent-  
 5 age points; and

6 “(iii) for the eighth year following the  
 7 year specified in clause (i) and each subse-  
 8 quent year, 80 percent.

9 “(C) LIMITATIONS AND SECRETARIAL AU-  
 10 THORITY.—

11 “(i) IN GENERAL.—Payment may be  
 12 made under this part for an individual  
 13 for—

14 “(I) not more than one full upper  
 15 and one full lower denture once every  
 16 five years; and

17 “(II) not more than one partial  
 18 upper denture and one partial lower  
 19 denture once every five years.

20 “(ii) SECRETARIAL AUTHORITY.—

21 “(I) AUTHORITY TO APPLY ADDI-  
 22 TIONAL LIMITATIONS.—The Secretary  
 23 may apply such other reasonable limi-  
 24 tations on the extent to which den-  
 25 tures are covered under this part, in-

1 cluding through application of a prior  
2 authorization requirement.

3 “(II) AUTHORITY TO MODIFY  
4 COVERAGE.—Notwithstanding any  
5 other provision of this title, if the Sec-  
6 retary determines appropriate, the  
7 Secretary may modify the coverage  
8 under this part of dentures to the ex-  
9 tent that such modification is con-  
10 sistent with the recommendations of  
11 the United States Preventive Services  
12 Task Force.”.

13 (f) REPEAL OF GROUND FOR EXCLUSION.—Section  
14 1862(a) of the Social Security Act (42 U.S.C. 1395y) is  
15 amended by striking paragraph (12).

16 (g) EFFECTIVE DATE.—The amendments made by  
17 this section shall apply to services furnished on or after  
18 January 1 of the first year beginning at least six months  
19 after the date of the enactment of this Act.

20 **SEC. 3. VISION CARE UNDER MEDICARE.**

21 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
22 curity Act (42 U.S.C. 1395x(s)(2)), as amended by section  
23 2(a), is amended—

24 (1) in subparagraph (HH), by striking “and”  
25 after the semicolon at the end;



1           (2) in subparagraph (II), by adding “and” after  
2           the semicolon at the end; and

3           (3) by adding at the end the following new sub-  
4           paragraph:

5           “(JJ) vision services (as defined in subsection  
6           (III));”.

7           (b) VISION SERVICES DEFINED.—Section 1861 of  
8           the Social Security Act (42 U.S.C. 1395x), as amended  
9           by section 2(b), is amended by adding at the end the fol-  
10          lowing new subsection:

11   “Vision Services

12          “(III) The term ‘vision services’ means—

13                       “(1) routine eye examinations and procedures  
14                       performed (during the course of any eye examina-  
15                       tion) to determine the refractive state of the eyes;  
16                       and

17                       “(2) other necessary services related to eye and  
18                       vision health (as defined by the Secretary).”.

19          (c) PAYMENT; COINSURANCE; AND LIMITATIONS.—

20                       (1) IN GENERAL.—Section 1833(a)(1) of the  
21                       Social Security Act (42 U.S.C. 1395l(a)(1)), as  
22                       amended by section 2(c)(1), is amended—

23                                       (A) by striking “and” before “(DD)”;

24                                       (B) by inserting before the semicolon at

25                                       the end the following: “, and (EE) with respect

1 to vision services (as defined in section  
2 1861(III)), the amount paid shall be the pay-  
3 ment amount specified under section 1834(w)”.

4 (2) PAYMENT AND LIMITS SPECIFIED.—Section  
5 1834 of the Social Security Act (42 U.S.C. 1395m),  
6 as amended by section 2(c)(2), is amended by add-  
7 ing at the end the following new subsection:

8 “(y) PAYMENT AND LIMITS FOR VISION SERVICES.—

9 “(1) IN GENERAL.—The payment amount  
10 under this part for vision services (as defined in sec-  
11 tion 1861(III)) shall be, subject to paragraph (3), the  
12 applicable percent (specified in paragraph (2)) of the  
13 lesser of the actual charge for the services or the  
14 amount determined under the payment basis deter-  
15 mined under section 1848.

16 “(2) APPLICABLE PERCENT.—For purposes of  
17 paragraph (1), the applicable percent specified in  
18 this paragraph is—

19 “(A) for the first year beginning at least 6  
20 months after the date of the enactment of this  
21 subsection, 0 percent;

22 “(B) for the year following the year speci-  
23 fied in subparagraph (A) and each subsequent  
24 year through the seventh year following the  
25 year specified in subparagraph (A), the applica-

1           ble percent specified in this paragraph for the  
2           previous year increased by 10 percentage  
3           points; and

4           “(C) for the eighth year following the year  
5           specified in subparagraph (A) and each subse-  
6           quent year, 80 percent.

7           “(3) LIMITATIONS AND SECRETARIAL AUTHOR-  
8           ITY.—

9           “(A) FREQUENCY.—With respect to rou-  
10          tine eye exams, payment may be made under  
11          this part for only one such exam during a 12-  
12          month period.

13          “(B) SECRETARIAL AUTHORITY.—

14          “(i) AUTHORITY TO APPLY ADDI-  
15          TIONAL LIMITATIONS.—The Secretary may  
16          apply other reasonable limitations on the  
17          extent to which vision services are covered  
18          under this part, including through applica-  
19          tion of a prior authorization requirement.

20          “(ii) AUTHORITY TO MODIFY COV-  
21          ERAGE.—Notwithstanding any other provi-  
22          sion of this title, if the Secretary deter-  
23          mines appropriate, the Secretary may mod-  
24          ify the coverage under this part of vision  
25          services to the extent that such modifica-

1                   tion is consistent with the recommenda-  
 2                   tions of the United States Preventive Serv-  
 3                   ices Task Force.”.

4           (d) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—  
 5 Section 1848(j)(3) of the Social Security Act (42 U.S.C.  
 6 1395w-4(j)(3)), as amended by section 2(d), is amended  
 7 by inserting “(2)(JJ),” after “(2)(II),”.

8           (e) SPECIAL PAYMENT RULES FOR EYEGLASSES,  
 9 CONTACT LENSES, AND LOW VISION DEVICES.—Section  
 10 1834(a) of the Social Security Act (42 U.S.C. 1395m(a)),  
 11 as amended by section 2(e)(2), is amended by adding at  
 12 the end the following new paragraphs:

13                   “(24) PAYMENT AND LIMITS FOR EYEGLASSES  
 14                   AND CONTACT LENSES.—

15                   “(A) IN GENERAL.—The payment amount  
 16                   under this part for eyeglass lenses, eyeglass  
 17                   frames, and contact lenses shall be, subject to  
 18                   subparagraph (C), the applicable percent (speci-  
 19                   fied in subparagraph (B)) of the amount other-  
 20                   wise payable for such eyeglass lenses, eyeglass  
 21                   frames, and contact lenses, respectively, under  
 22                   this section.

23                   “(B) APPLICABLE PERCENT.—For pur-  
 24                   poses of subparagraph (A), the applicable per-  
 25                   cent specified in this subparagraph is—

1 “(i) for the first year beginning at  
2 least 6 months after the date of the enact-  
3 ment of this paragraph, 0 percent;

4 “(ii) for the year following the year  
5 specified in clause (i) and each subsequent  
6 year through the seventh year following the  
7 year specified in clause (i), the applicable  
8 percent specified in this subparagraph for  
9 the previous year increased by 10 percent-  
10 age points; and

11 “(iii) for the eighth year following the  
12 year specified in clause (i) and each subse-  
13 quent year, 80 percent.

14 “(C) LIMITATIONS AND SECRETARIAL AU-  
15 THORITY.—

16 “(i) IN GENERAL.—Payment may be  
17 made under this part (other than for  
18 eyewear described in section 1861(s)(8))  
19 for an individual for—

20 “(I) not more than one pair of  
21 eyeglass lenses during any 12-month  
22 period;

23 “(II) not more than one set of  
24 eyeglass frames during any 24-month  
25 period; and

1           “(III) contact lenses, only to the  
2           extent that the sum of such payments  
3           for contact lenses does not exceed a  
4           limitation of \$200 during any 24-  
5           month period beginning during the  
6           first year beginning at least six  
7           months after the date of the enact-  
8           ment of this paragraph (or, beginning  
9           during a subsequent year, such limita-  
10          tion for a 24-month period beginning  
11          in the previous year increase by an  
12          appropriate inflation adjustment spec-  
13          ified by the Secretary).

14          “(ii) SECRETARIAL AUTHORITY.—

15                 “(I) AUTHORITY TO APPLY ADDI-  
16                 TIONAL LIMITATIONS.—The Secretary  
17                 may apply such other reasonable limi-  
18                 tations on the extent to which eye-  
19                 glass lenses, eyeglass frames, and con-  
20                 tact lenses are covered under this  
21                 part, including through application of  
22                 a prior authorization requirement.

23                 “(II) AUTHORITY TO MODIFY  
24                 COVERAGE.—Notwithstanding any  
25                 other provision of this title, if the Sec-

1           retary determines appropriate, the  
2           Secretary may modify the coverage  
3           under this part of eyeglass lenses, eye-  
4           glass frames, and contact lenses to  
5           the extent that such modification is  
6           consistent with the recommendations  
7           of the United States Preventive Serv-  
8           ices Task Force.

9           “(25) PAYMENT AND LIMITS FOR LOW VISION  
10          DEVICES.—

11           “(A) IN GENERAL.—The payment amount  
12           under this part for low vision devices shall be,  
13           subject to subparagraph (C), the applicable per-  
14           cent (specified in subparagraph (B)) of the  
15           amount otherwise payable for low vision devices  
16           under this section.

17           “(B) APPLICABLE PERCENT.—For pur-  
18           poses of subparagraph (A), the applicable per-  
19           cent specified in this subparagraph is—

20           “(i) for the first year beginning at  
21           least 6 months after the date of the enact-  
22           ment of this paragraph, 0 percent;

23           “(ii) for the year following the year  
24           specified in clause (i) and each subsequent  
25           year through the seventh year following the

1 year specified in clause (i), the applicable  
2 percent specified in this subparagraph for  
3 the previous year increased by 10 percent-  
4 age points; and

5 “(iii) for the eighth year following the  
6 year specified in clause (i) and each subse-  
7 quent year, 80 percent.

8 “(C) SECRETARIAL AUTHORITY.—

9 “(i) AUTHORITY TO APPLY LIMITA-  
10 TIONS.—The Secretary may apply reason-  
11 able limitations on the extent to which low  
12 vision devices are covered under this part,  
13 including through application of a prior  
14 authorization requirement.

15 “(ii) AUTHORITY TO MODIFY COV-  
16 ERAGE.—Notwithstanding any other provi-  
17 sion of this title, if the Secretary deter-  
18 mines appropriate, the Secretary may mod-  
19 ify the coverage under this part of low vi-  
20 sion devices to the extent that such modi-  
21 fication is consistent with the recommenda-  
22 tions of the United States Preventive Serv-  
23 ices Task Force.

24 “(D) LOW VISION DEVICE DEFINED.—In  
25 this paragraph, the term ‘low vision device’



1 means a device, prescribed by a physician, that  
2 magnifies, enhances, or otherwise augments or  
3 interprets visual images irrespective of the size,  
4 form, or technological features of such device  
5 and does not include ordinary eyeglasses or con-  
6 tact lenses. In the previous sentence, the term  
7 ‘ordinary eyeglasses or contact lenses’ means  
8 lenses that are intended to fully correct visual  
9 acuity or fully eliminate refractive error.”.

10 (f) DEFINITION OF DURABLE MEDICAL EQUIPMENT  
11 TO INCLUDE EYEGLASSES, CONTACT LENSES, AND LOW  
12 VISION DEVICES.—Section 1861(n) of the Social Security  
13 Act (42 U.S.C. 1395x(n)) is amended—

14 (1) by striking “and” before “eye tracking” and  
15 inserting a comma; and

16 (2) by inserting “, and eyeglass lenses, low vi-  
17 sion devices (as defined in section 1834(a)(25)), eye-  
18 glass frames, and contact lenses” before “; except”.

19 (g) REPEAL OF GROUND FOR EXCLUSION.—Section  
20 1862(a)(7) of the Social Security Act (42 U.S.C.  
21 1395y(a)(7)) is amended by striking “, eyeglasses (other  
22 than eyewear described in section 1861(s)(8)) or eye ex-  
23 aminations for the purpose of prescribing, fitting, or  
24 changing eyeglasses, procedures performed (during the

1 course of any eye examination) to determine the refractive  
2 state of the eyes”.

3 (h) **EFFECTIVE DATE.**—The amendments made by  
4 this section shall apply to services furnished on or after  
5 January 1 of the first year beginning at least six months  
6 after the date of the enactment of this Act.

7 **SEC. 4. HEARING CARE UNDER MEDICARE.**

8 (a) **COVERAGE.**—

9 (1) **IN GENERAL.**—Section 1861(s)(2) of the  
10 Social Security Act (42 U.S.C. 1395x(s)(2)), as  
11 amended by sections 2(a) and 3(a), is amended—

12 (A) in subparagraph (II), by striking  
13 “and” at the end;

14 (B) in subparagraph (JJ), by inserting  
15 “and” at the end; and

16 (C) by adding at the end the following new  
17 subparagraph:

18 “(KK) audiology services (as defined in sub-  
19 section (ll)(3)) and hearing services (as defined in  
20 subsection (ll)(5));”.

21 (2) **HEARING SERVICES DEFINED.**—Section  
22 1861(ll) of the Social Security Act (42 U.S.C.  
23 1395x(ll)) is amended—

1 (A) in the subsection heading, by inserting  
2 “; HEARING SERVICES” after “AUDIOLOGY  
3 SERVICES”; and

4 (B) by adding at the end the following new  
5 paragraph:

6 “(5) The term ‘hearing services’ means—

7 “(A) routine hearing exams and exams for  
8 hearing aids; and

9 “(B) other necessary services related to hearing  
10 health (as defined by the Secretary).”.

11 (b) PAYMENT; COINSURANCE; AND LIMITATIONS.—

12 (1) IN GENERAL.—Section 1833(a)(1) of the  
13 Social Security Act (42 U.S.C. 1395l(a)(1)), as  
14 amended by sections 2(c)(1) and 3(c)91), is amend-  
15 ed—

16 (A) by striking “and” before “(EE)”; and

17 (B) by inserting before the semicolon at  
18 the end the following: “, and (FF) with respect  
19 to audiology services (as defined in section  
20 1861(ll)(3)) and hearing services (as defined in  
21 section 1861(ll)(5)), the amount paid shall be  
22 the payment amount specified under section  
23 1834(x)”.

24 (2) PAYMENT AND LIMITS SPECIFIED.—Section  
25 1834 of the Social Security Act (42 U.S.C. 1395m),

1 as amended by sections 2(c)(2) and 3(c)(2), is  
2 amended by adding at the end the following new  
3 subsection:

4 “(z) PAYMENT AND LIMITS FOR HEARING SERV-  
5 ICES.—

6 “(1) IN GENERAL.—The payment amount  
7 under this part for audiology services (as defined in  
8 section 1861(ll)(3)) and hearing services (as defined  
9 in section 1861(ll)(5)), shall be, subject to para-  
10 graph (3), the applicable percent (specified in para-  
11 graph (2)) of the lesser of the actual charge for the  
12 services or the amount determined under the pay-  
13 ment basis determined under section 1848.

14 “(2) APPLICABLE PERCENT.—For purposes of  
15 paragraph (1), the applicable percent specified in  
16 this paragraph is—

17 “(A) for the first year beginning at least 6  
18 months after the date of the enactment of this  
19 subsection, 0 percent;

20 “(B) for the year following the year speci-  
21 fied in subparagraph (A) and each subsequent  
22 year through the seventh year following the  
23 year specified in subparagraph (A), the applica-  
24 ble percent specified in this paragraph for the

1 previous year increased by 10 percentage  
2 points; and

3 “(C) for the eighth year following the year  
4 specified in subparagraph (A) and each subse-  
5 quent year, 80 percent.

6 “(3) SECRETARIAL AUTHORITY.—

7 “(A) AUTHORITY TO APPLY LIMITA-  
8 TIONS.—The Secretary may apply reasonable  
9 limitations on the extent to which audiology  
10 services and hearing services are covered under  
11 this part, including through application of a  
12 prior authorization requirement.

13 “(B) AUTHORITY TO MODIFY COVERAGE.—  
14 Notwithstanding any other provision of this  
15 title, if the Secretary determines appropriate,  
16 the Secretary may modify the coverage under  
17 this part of audiology services and hearing serv-  
18 ices to the extent that such modification is con-  
19 sistent with the recommendations of the United  
20 States Preventive Services Task Force.”.

21 (c) PAYMENT UNDER THE PHYSICIAN FEE SCHED-  
22 ULE.—Section 1848(j)(3) of the Social Security Act (42  
23 U.S.C. 1395w–4(j)(3)), as amended by sections 2(d) and  
24 3(d), is amended by inserting “(2)(KK),” after  
25 “(2)(JJ),”.

1 (d) HEARING AIDS.—

2 (1) REPEAL OF GROUND FOR EXCLUSION.—  
3 Section 1862(a)(7) of the Social Security Act (42  
4 U.S.C. 1395y(a)(7)), as amended by section 3(g), is  
5 amended by striking “, hearing aids or examinations  
6 therefor,”.

7 (2) DEFINITION OF DURABLE MEDICAL EQUIP-  
8 MENT TO INCLUDE HEARING AIDS.—Section 1861(n)  
9 of the Social Security Act (42 U.S.C. 1395x(n)), as  
10 amended by section 3(f), is amended by inserting  
11 “hearing aids,” before “and eyeglass lenses”.

12 (3) SPECIAL PAYMENT RULES FOR HEARING  
13 AIDS.—Section 1834(a) of the Social Security Act  
14 (42 U.S.C. 1395m(a)), as amended by sections  
15 2(e)(2) and 3(e), is amended by adding at the end  
16 the following new paragraph:

17 “(26) PAYMENT AND LIMITS FOR HEARING  
18 AIDS.—

19 “(A) IN GENERAL.—The payment amount  
20 under this part for hearing aids shall be, sub-  
21 ject to subparagraph (C), the applicable percent  
22 (specified in subparagraph (B)) of the amount  
23 otherwise payable for hearing aids under this  
24 section.

1           “(B) APPLICABLE PERCENT.—For pur-  
2 poses of subparagraph (A), the applicable per-  
3 cent specified in this subparagraph is—

4           “(i) for the first year beginning at  
5 least 6 months after the date of the enact-  
6 ment of this paragraph, 0 percent;

7           “(ii) for the year following the year  
8 specified in clause (i) and each subsequent  
9 year through the seventh year following the  
10 year specified in clause (i), the applicable  
11 percent specified in this subparagraph for  
12 the previous year increased by 10 percent-  
13 age points; and

14           “(iii) for the eighth year following the  
15 year specified in clause (i) and each subse-  
16 quent year, 80 percent.

17           “(C) LIMITATIONS AND SECRETARIAL AU-  
18 THORITY.—

19           “(i) IN GENERAL.—Payment may be  
20 made under this part for an individual for  
21 not more than one hearing aid per ear dur-  
22 ing a 48-month period.

23           “(ii) SECRETARIAL AUTHORITY.—

24           “(I) AUTHORITY TO APPLY ADDI-  
25 TIONAL LIMITATIONS.—The Secretary

1           may apply additional limitations on  
2           the extent to which hearing aids are  
3           covered under this part, including  
4           through application of a prior author-  
5           ization requirement and through ap-  
6           plication of criteria for a minimum  
7           level of hearing loss for coverage of an  
8           initial or replacement hearing aid.

9                   “(II) AUTHORITY TO MODIFY  
10            COVERAGE.—Notwithstanding any  
11            other provision of this title, if the Sec-  
12            retary determines appropriate, the  
13            Secretary may modify the coverage  
14            under this part of hearing aids to the  
15            extent that such modification is con-  
16            sistent with the recommendations of  
17            the United States Preventive Services  
18            Task Force.”.

19           (e) EFFECTIVE DATE.—The amendments made by  
20           this section shall apply to services furnished on or after  
21           January 1 of the first year beginning at least six months  
22           after the date of the enactment of this Act.



1 **SEC. 5. INCREASED FMAP FOR COVERAGE OF DENTAL AND**  
2 **ORAL HEALTH CARE, VISION, CARE, AND**  
3 **HEARING CARE UNDER MEDICAID.**

4 Section 1905 of the Social Security Act (42 U.S.C.  
5 1396d) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (10), by inserting “,  
8 which may include any dental and oral health  
9 service (as defined in section 1861(kkk))” after  
10 “dental services”;

11 (B) in paragraph (13)—

12 (i) in subparagraph (B), by striking “;  
13 and” and inserting a semicolon;

14 (ii) in subparagraph (C), by striking  
15 the semicolon and inserting “; and”; and

16 (iii) by adding at the end the fol-  
17 lowing new subparagraph:

18 “(D) any service that is a vision service (as  
19 defined in section 1861(lll)) or a hearing service  
20 (as defined in section 1861(ll)(5));” and

21 (C) in paragraph (29), by realigning the  
22 left margin so as to align with the left margin  
23 of paragraph (28); and

24 (2) by adding at the end the following new sub-  
25 section:

1       “(ff) INCREASED FMAP FOR EXPENDITURES FOR  
2 DENTAL AND ORAL HEALTH SERVICES, VISION SERV-  
3 ICES, AND HEARING SERVICES.—

4           “(1) IN GENERAL.—Notwithstanding subsection  
5 (b), the Federal medical assistance percentage with  
6 respect to amounts expended by a State for medical  
7 assistance for services described in paragraph (2)  
8 shall be equal to 90 percent.

9           “(2) SERVICES DESCRIBED.—A service de-  
10 scribed in this paragraph is any service that—

11           “(A) is furnished on or after January 1 of  
12 the first calendar year that begins at least 6  
13 months after the date of the enactment of this  
14 subsection;

15           “(B) is not furnished to an individual who  
16 is—

17           “(i) under the age of 21; and

18           “(ii) eligible for medical assistance for  
19 the services described in subsection  
20 (a)(4)(B); and

21           “(C) is—

22           “(i) a dental and oral health service  
23 (as defined in section 1861(kkk));

24           “(ii) a vision service (as defined in  
25 section 1861(lll)); or

1                   “(iii) a hearing service (as defined in  
2                   section 1861(11)(5)).”.

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