

117TH CONGRESS
1ST SESSION

H. R. 4803

To amend title XVIII of the Social Security Act to provide coverage for
acupuncturist services under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2021

Ms. CHU 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 amend title XVIII of the Social Security Act to provide
coverage for acupuncturist services under 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 “Acupuncture for Our
5 Seniors Act of 2021”.

1 **SEC. 2. COVERAGE FOR ACUPUNCTURIST SERVICES UNDER**
2 **THE MEDICARE PROGRAM.**

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) by striking “and” at the end of sub-
7 paragraph (GG);

8 (B) by adding “and” at the end of sub-
9 paragraph (HH); and

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

12 “(II) qualified acupuncturist services (as de-
13 fined in subsection (lll)(1));”; and

14 (2) by adding at the end the following new sub-
15 section:

16 “(III) QUALIFIED ACUPUNCTURIST SERVICES.—

17 “(1) IN GENERAL.—The term ‘qualified
18 acupuncturist services’ means such services fur-
19 nished by a qualified acupuncturist (as defined in
20 paragraph (2)), and such services and supplies fur-
21 nished as an incident to services furnished by the
22 qualified acupuncturist, as the qualified
23 acupuncturist is legally authorized to perform under
24 State law.

25 “(2) QUALIFIED ACUPUNCTURIST DEFINED.—

26 For purposes of this subsection, the term ‘qualified

1 acupuncturist’ means an individual who is licensed
2 as an acupuncturist by a State or, in the case of an
3 individual in a State that does not provide for such
4 licensure, meets such criteria (such as certification
5 through an appropriate nationally recognized certifi-
6 cation authority for acupuncturists) as the Secretary
7 may specify. In specifying such requirements, the
8 Secretary may use the same requirements as those
9 established by such a certification authority.”.

10 (b) PAYMENT RULES.—

11 (1) PAYMENT UNDER PHYSICIAN FEE SCHED-
12 ULE.—Section 1848(j)(3) of the Social Security Act
13 (42 U.S.C. 1395w-4(j)(3)) is amended by inserting
14 “(2)(GG),” before “(3),”.

15 (2) SEPARATE PAYMENT FOR SERVICES OF IN-
16 STITUTIONAL PROVIDERS.—Section 1833(a)(2)(B)
17 of the Social Security Act (42 U.S.C.
18 1395l(a)(2)(B)) is amended—

19 (A) in clause (i), by inserting “and in the
20 case of qualified acupuncturist services,” after
21 “1999,”;

22 (B) in clause (ii), by inserting “or in the
23 case of qualified acupuncturist services,” after
24 “1999,”; and

1 (C) in clause (iii), by inserting “(other
2 than qualified acupuncturist services)” after
3 “such services”.

4 (3) QUALIFIED ACUPUNCTURIST TREATMENT
5 AS A PRACTITIONER.—Section 1842(b)(18)(C) of the
6 Social Security Act (42 U.S.C. 1395u(b)(18)(C)) is
7 amended by adding at the end the following new
8 clause:

9 “(vii) A qualified acupuncturist (as defined in
10 section 1861(III)(2)).”.

11 (4) SEPARATE BILLING FOR ACUPUNCTURIST
12 SERVICES FURNISHED IN AN INPATIENT HOSPITAL
13 SETTING.—Section 1861(b)(4) of the Social Security
14 Act (42 U.S.C. 1395x(b)(4)) is amended by insert-
15 ing “qualified acupuncturist services,” after “quali-
16 fied psychologist services,”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section apply with respect to services furnished on or
19 after the date that is 270 days after the date of enactment
20 of this Act.

○