

HR 3584

Medicare Regulatory Fairness and Physician Fee Update Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Health

Introduced: Nov 21, 2003

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Dec 17, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/3584>

Sponsor

Name: Rep. Berkley, Shelley [D-NV-1]

Party: Democratic • **State:** NV • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Dec 17, 2003
Ways and Means Committee	House	Referred to	Dec 8, 2003

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Medicare Regulatory Fairness and Physician Fee Update Act - Amends title XVIII (Medicare) of the Social Security Act to revise requirements with regard to Medicare part B (Supplementary Medical Insurance) and updates for physicians' services and to add a definition of supplier.

Includes a number of regulatory reduction, contracting, and administrative changes, such as adding requirements for information security for Medicare administrative contractors and increased flexibility in Medicare administration.

Requires the Comptroller General to study and report to Congress with respect to advisory opinion authority.

Directs the Secretary of Health and Human Services to: (1) establish a small provider technical assistance demonstration program; (2) appoint within the Department of Health and Human Services a Medicare Beneficiary Ombudsman; (3) establish a beneficiary outreach demonstration program; (4) include additional information in notices of explanation of Medicare benefits; and (5) provide public information that enables hospital discharge planners, Medicare beneficiaries, and the public to identify skilled nursing facilities participating in the Medicare program.

Requires the Commissioner of Social Security and the Secretary to develop and transmit to Congress and the Comptroller General a plan under which the functions of administrative law judges responsible for hearing cases under the Medicare program are transferred from the responsibility of the Commissioner to the Secretary and the Department. Requires the Commissioner of Social Security and the Secretary to implement the transition plan and transfer those administrative law judge functions from the Social Security Administration to the Secretary. Requires the Secretary to assure the independence of administrative law judges performing the administrative law judge functions transferred from the Centers for Medicare & Medicaid Services and its contractors.

Directs the Secretary to establish a process for: (1) expedited access to judicial review and prompt determinations for providers, suppliers, or beneficiaries who have filed an appeal so that they may obtain access to judicial review when a review entity determines that the Departmental Appeals Board does not have the authority to decide the question of law or regulation relevant to the matters in controversy and there is no material issue of fact in dispute; and (2) expedited review of certain provider agreement determinations.

Revises the Medicare appeals process.

Provides for the recovery of overpayments through the use of repayment plans.

Outlines an enrollment process for providers of services and suppliers.

Requires the Secretary to develop a: (1) process for correction of minor errors and omissions without pursuing the appeals process; (2) prior determination process for certain items and services; and (3) program of outreach and education for beneficiaries and providers of services and other persons on the appropriate use of advance beneficiary notices and coverage policies under the Medicare program.

Directs the Secretary to establish a mediation process for local coverage determinations.

Actions Timeline

- **Dec 17, 2003:** Referred to the Subcommittee on Health.
- **Dec 8, 2003:** Referred to the Subcommittee on Health.
- **Nov 21, 2003:** Introduced in House
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- **Nov 21, 2003:** 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.
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