

HR 2457

Right to a Second Medical Opinion Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: May 18, 2009

Current Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

Latest Action: Referred to the Subcommittee on Health, Employment, Labor, and Pensions. (Oct 22, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/2457>

Sponsor

Name: Rep. Davis, Susan A. [D-CA-53]

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

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Hare, Phil [D-IL-17]	D · IL		May 18, 2009
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		May 18, 2009
Rep. Rush, Bobby L. [D-IL-1]	D · IL		May 18, 2009
Rep. Wittman, Robert J. [R-VA-1]	R · VA		May 18, 2009

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Oct 22, 2009
Energy and Commerce Committee	House	Referred to	May 19, 2009
Ways and Means Committee	House	Referred To	May 18, 2009

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Right to a Second Medical Opinion Act of 2009 - Amends the Employee Retirement Income Security Act of 1974 (ERISA), the Public Health Service Act, and the Internal Revenue Code of 1986 to require a group health plan to provide coverage for a second opinion requested by a participant or beneficiary or a health care practitioner if certain conditions are met, including that the medical condition threatens loss of life, quality of life, loss of limb, loss of bodily function, loss of cognitive function, or substantial impairment of the mind or body.

Directs that the financial responsibility of the participant or beneficiary for a second opinion shall be the same as that for comparable services furnished by a participating physician in connection with an initial opinion.

Sets forth provisions governing a health plan: (1) limiting coverage of a second opinion to a participating physician; (2) requiring preapproval for a second opinion; and (3) denying coverage or denying preapproval for a second opinion.

Allows a plan to condition payment for a second opinion on the physician providing a consultation report to the health care practitioner making the initial opinion.

Requires plans to provide the Secretary of Health and Human Services (HHS) a timeline for providing reimbursement of claims for second opinions and for responding to requests for preapproval of second opinions.

Applies the provisions of this Act to individual health insurance coverage.

Actions Timeline

- **Oct 22, 2009:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
- **May 19, 2009:** Referred to the Subcommittee on Health.
- **May 18, 2009:** Introduced in House
- **May 18, 2009:** Sponsor introductory remarks on measure. (CR E1182)
- **May 18, 2009:** Referred to House Energy and Commerce
- **May 18, 2009:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and 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.
- **May 18, 2009:** Referred to House Education and Labor
- **May 18, 2009:** Referred to House Ways and Means