

HR 3635

Local Coverage Determination Clarification Act of 2018

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Health

Introduced: Aug 1, 2017

Current Status: Received in the Senate and Read twice and referred to the Committee on Finance.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Finance. (Sep 17, 2018)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/3635>

Sponsor

Name: Rep. Jenkins, Lynn [R-KS-2]

Party: Republican • **State:** KS • **Chamber:** House

Cosponsors (81 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Kind, Ron [D-WI-3]	D · WI		Aug 1, 2017
Rep. Meehan, Patrick [R-PA-7]	R · PA		Aug 25, 2017
Rep. Sessions, Pete [R-TX-32]	R · TX		Aug 25, 2017
Rep. Crowley, Joseph [D-NY-14]	D · NY		Sep 6, 2017
Rep. Mullin, Markwayne [R-OK-2]	R · OK		Sep 7, 2017
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Sep 14, 2017
Rep. Engel, Eliot L. [D-NY-16]	D · NY		Oct 3, 2017
Rep. Marchant, Kenny [R-TX-24]	R · TX		Oct 3, 2017
Rep. Moulton, Seth [D-MA-6]	D · MA		Oct 3, 2017
Rep. Sewell, Terri A. [D-AL-7]	D · AL		Oct 3, 2017
Rep. Tonko, Paul [D-NY-20]	D · NY		Oct 3, 2017
Rep. Upton, Fred [R-MI-6]	R · MI		Oct 3, 2017
Rep. Loebsack, David [D-IA-2]	D · IA		Oct 12, 2017
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Oct 19, 2017
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Oct 19, 2017
Rep. Roe, David P. [R-TN-1]	R · TN		Oct 23, 2017
Rep. Stivers, Steve [R-OH-15]	R · OH		Oct 24, 2017
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Oct 31, 2017
Rep. DeGette, Diana [D-CO-1]	D · CO		Oct 31, 2017
Rep. Boyle, Brendan F. [D-PA-13]	D · PA		Nov 1, 2017
Rep. Bilirakis, Gus M. [R-FL-12]	R · FL		Nov 9, 2017
Rep. Costello, Ryan A. [R-PA-6]	R · PA		Nov 10, 2017
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Nov 14, 2017
Rep. Scott, Austin [R-GA-8]	R · GA		Nov 14, 2017
Rep. Schweikert, David [R-AZ-6]	R · AZ		Nov 16, 2017
Rep. Doyle, Michael F. [D-PA-14]	D · PA		Nov 29, 2017
Rep. Kuster, Ann M. [D-NH-2]	D · NH		Nov 29, 2017
Rep. DesJarlais, Scott [R-TN-4]	R · TN		Nov 30, 2017
Rep. Bishop, Mike [R-MI-8]	R · MI		Dec 4, 2017
Rep. Harris, Andy [R-MD-1]	R · MD		Dec 4, 2017
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Dec 6, 2017
Rep. Thompson, Mike [D-CA-5]	D · CA		Dec 6, 2017
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Dec 7, 2017
Rep. Curbelo, Carlos [R-FL-26]	R · FL		Dec 7, 2017
Rep. Harper, Gregg [R-MS-3]	R · MS		Dec 7, 2017
Rep. Marshall, Roger [R-KS-1]	R · KS		Dec 11, 2017
Rep. Young, David [R-IA-3]	R · IA		Dec 11, 2017
Rep. Lance, Leonard [R-NJ-7]	R · NJ		Dec 12, 2017
Rep. Flores, Bill [R-TX-17]	R · TX		Dec 18, 2017
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Dec 21, 2017
Rep. McNerney, Jerry [D-CA-9]	D · CA		Dec 22, 2017

Cosponsor	Party / State	Role	Date Joined
Rep. Ferguson, A. Drew, IV [R-GA-3]	R · GA		Jan 18, 2018
Rep. Ruiz, Raul [D-CA-36]	D · CA		Jan 22, 2018
Rep. Maloney, Sean Patrick [D-NY-18]	D · NY		Feb 7, 2018
Rep. Paulsen, Erik [R-MN-3]	R · MN		Feb 7, 2018
Rep. Kustoff, David [R-TN-8]	R · TN		Feb 14, 2018
Rep. Peters, Scott H. [D-CA-52]	D · CA		Mar 1, 2018
Rep. Khanna, Ro [D-CA-17]	D · CA		Mar 7, 2018
Rep. Kelly, Mike [R-PA-3]	R · PA		Mar 19, 2018
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Mar 26, 2018
Rep. Black, Diane [R-TN-6]	R · TN		Apr 18, 2018
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Apr 24, 2018
Rep. Clarke, Yvette D. [D-NY-9]	D · NY		Apr 24, 2018
Rep. Cook, Paul [R-CA-8]	R · CA		Apr 24, 2018
Rep. Walberg, Tim [R-MI-7]	R · MI		Apr 24, 2018
Rep. Ruppersberger, C. A. Dutch [D-MD-2]	D · MD		May 7, 2018
Rep. Thompson, Glenn [R-PA-5]	R · PA		May 7, 2018
Rep. Tipton, Scott R. [R-CO-3]	R · CO		May 8, 2018
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		May 9, 2018
Rep. Rice, Kathleen M. [D-NY-4]	D · NY		May 23, 2018
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Jun 6, 2018
Rep. Kennedy, Joseph P., III [D-MA-4]	D · MA		Jun 6, 2018
Rep. Wenstrup, Brad R. [R-OH-2]	R · OH		Jun 19, 2018
Rep. Herrera Beutler, Jaime [R-WA-3]	R · WA		Jun 26, 2018
Rep. Biggs, Andy [R-AZ-5]	R · AZ		Jul 10, 2018
Rep. Huizenga, Bill [R-MI-2]	R · MI		Jul 10, 2018
Rep. Hurd, Will [R-TX-23]	R · TX		Jul 10, 2018
Rep. Crawford, Eric A. "Rick" [R-AR-1]	R · AR		Jul 12, 2018
Rep. Smith, Adrian [R-NE-3]	R · NE		Jul 16, 2018
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Jul 16, 2018
Rep. Westerman, Bruce [R-AR-4]	R · AR		Jul 17, 2018
Rep. Lesko, Debbie [R-AZ-8]	R · AZ		Jul 23, 2018
Rep. Byrne, Bradley [R-AL-1]	R · AL		Jul 24, 2018
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Jul 25, 2018
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Jul 26, 2018
Rep. Brat, Dave [R-VA-7]	R · VA		Aug 10, 2018
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Aug 21, 2018
Rep. Poliquin, Bruce [R-ME-2]	R · ME		Aug 21, 2018
Rep. Dunn, Neal P. [R-FL-2]	R · FL		Sep 5, 2018
Rep. Renacci, James B. [R-OH-16]	R · OH		Sep 6, 2018
Rep. Coffman, Mike [R-CO-6]	R · CO		Sep 10, 2018

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Aug 4, 2017
Finance Committee	Senate	Referred To	Sep 17, 2018
Ways and Means Committee	House	Reported By	Sep 10, 2018

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
115 S 794	Related bill	Mar 30, 2017: Read twice and referred to the Committee on Finance.

Summary (as of Aug 1, 2017)

Local Coverage Determination Clarification Act of 2017

This bill amends title XVIII (Medicare) of the Social Security Act to revise the process by which Medicare administrative contractors (MACs) issue and reconsider local coverage determinations (LCDs) that: (1) are new, (2) restrict or substantively revise existing LCDs, or (3) are otherwise specified in regulation. (MACs are private insurers that process Medicare claims within specified geographic areas.)

Before such an LCD may take effect, the MAC issuing the determination must, with respect to each geographic area to which the determination applies:

- publish online a proposed version of the determination and other specified, related information;
- convene one or more public meetings to review the draft determination, receive comments, and secure the advice of an expert panel;
- post online a record of the minutes from each such meeting;
- provide a period for submission of written public comments; and
- post online specified information related to the rationale for the final determination.

Upon the filing of an applicable request by an interested party with regard to the reconsideration of a specified LCD, the MAC that issued the determination shall:

- provide specified information related to whether the determination failed to correctly apply qualifying relevant evidence, exceeds the scope of its intended purpose, fails to apply as intended, or is otherwise erroneous;
- preserve the determination, modify the determination, or rescind the determination in part; and
- make publicly available a written description of such action.

An interested party may appeal a reconsideration decision to the Centers for Medicare & Medicaid Services (CMS).

The CMS shall appoint a Medicare Reviews and Appeals Ombudsman to carry out specified duties with regard to LCDs.

Actions Timeline

- **Sep 17, 2018:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **Sep 12, 2018:** Ms. Jenkins (KS) moved to suspend the rules and pass the bill, as amended.
- **Sep 12, 2018:** Considered under suspension of the rules. (consideration: CR H8122-8124)
- **Sep 12, 2018:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3635.
- **Sep 12, 2018:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H8122-8124)
- **Sep 12, 2018:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H8122-8124)
- **Sep 12, 2018:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 10, 2018:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 115-933, Part I.
- **Sep 10, 2018:** Committee on Energy and Commerce discharged.
- **Sep 10, 2018:** Placed on the Union Calendar, Calendar No. 724.
- **Sep 5, 2018:** Committee Consideration and Mark-up Session Held.
- **Sep 5, 2018:** Ordered to be Reported in the Nature of a Substitute by Voice Vote.
- **Aug 4, 2017:** Referred to the Subcommittee on Health.
- **Aug 1, 2017:** Introduced in House
- **Aug 1, 2017:** Referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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.