

118TH CONGRESS  
1ST SESSION

# H. R. 1326

To modify the limitation on the deduction by individuals of certain State and local taxes and to provide coverage for hearing and vision care under the Medicare program.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2023

Ms. PORTER introduced the following bill; which was 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

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## A BILL

To modify the limitation on the deduction by individuals of certain State and local taxes and to provide coverage for hearing and vision care 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 “Supporting Americans  
5 with Lower Taxes Act” or as the “SALT Act”.

1 **SEC. 2. MODIFICATION OF LIMITATION ON THE DEDUC-**  
2 **TION BY INDIVIDUALS OF CERTAIN STATE**  
3 **AND LOCAL, ETC., TAXES.**

4 (a) **IN GENERAL.**—Section 164(b)(6) of the Internal  
5 Revenue Code of 1986 is amended to read as follows:

6 “(6) **LIMITATION ON DEDUCTION BY CERTAIN**  
7 **HIGH-INCOME INDIVIDUALS.**—

8 “(A) **IN GENERAL.**—In the case of a tax-  
9 payer with adjusted gross income which equals  
10 or exceeds \$400,000 for any taxable year—

11 “(i) foreign real property taxes shall  
12 not be taken into account under subsection  
13 (a)(1) (or section 216(a)) for such taxable  
14 year, and

15 “(ii) the aggregate amount of taxes  
16 taken into account under paragraphs (1),  
17 (2), and (3) of subsection (a) and para-  
18 graph (5) of this subsection (and any tax  
19 described in any such paragraph taken into  
20 account under section 216(a)(1)) for such  
21 taxable year shall not exceed \$60,000.

22 “(B) **PHASEDOWN OF LIMITATION BASED**  
23 **ON ADJUSTED GROSS INCOME.**—The \$60,000  
24 amount in subparagraph (A)(ii) shall be re-  
25 duced (but not below zero) by the dollar

1 amount which bears the same ratio to \$60,000  
2 as—

3 “(i) the excess of the taxpayer’s ad-  
4 justed gross income over \$400,000, bears  
5 to

6 “(ii) \$600,000.

7 “(C) APPLICATION RESTRICTED TO CER-  
8 TAIN TAXPAYERS AND TAXES.—

9 “(i) APPLICATION TO INDIVIDUALS.—  
10 Subparagraph (A) shall only apply to indi-  
11 viduals, estates, and trusts.

12 “(ii) EXCLUSION OF CERTAIN BUSI-  
13 NESS TAXES.—Subparagraph (A) shall not  
14 apply to any foreign taxes described in  
15 subsection (a)(3) or to any taxes described  
16 in paragraph (1) and (2) of subsection (a)  
17 which are paid or accrued in carrying on  
18 a trade or business or an activity described  
19 in section 212.

20 “(D) MARRIED INDIVIDUALS FILING A  
21 SEPARATE RETURN.—In the case of a married  
22 individual filing a separate return, subpara-  
23 graphs (A) and (B) shall be applied—

24 “(i) by substituting ‘\$200,000’ for  
25 ‘\$400,000’ each place it appears,

1 “(ii) by substituting ‘\$30,000’ for  
2 ‘\$60,000’ each place it appears, and

3 “(iii) by substituting ‘\$300,000’ for  
4 ‘\$600,000’ in subparagraph (B)(ii).

5 “(E) ESTATES AND TRUSTS.—In the case  
6 of an estate or trust, adjusted gross income  
7 shall be determined as provided in section  
8 67(e).

9 “(F) DENIAL OF DEDUCTION TO BILLION-  
10 AIRES.—Unless the taxpayer has less than  
11 \$1,000,000,000 (\$500,000,000 in the case of a  
12 married individual filing a separate return) in  
13 assets as of the close of the taxable year (and  
14 attests to such fact under penalty of perjury at  
15 such time and in such manner as the Secretary  
16 may provide)—

17 “(i) subparagraph (A) shall be ap-  
18 plied—

19 “(I) by substituting ‘zero’ for  
20 ‘\$400,000’, and

21 “(II) by substituting ‘zero’ for  
22 ‘\$60,000’, and

23 “(ii) subparagraphs (B) and (D) shall  
24 not apply.

1 For purposes of this subparagraph, the term  
2 ‘assets’ means all property, real or personal,  
3 tangible or intangible, wherever situated (within  
4 the meaning of section 2031) and such property  
5 shall be valued in the same manner as for pur-  
6 poses of part III of subchapter A of chapter  
7 11.”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) shall apply to taxable years beginning after  
10 the date of the enactment of this Act.

11 (c) APPROPRIATIONS TO FEDERAL SUPPLEMENTARY  
12 MEDICAL INSURANCE TRUST FUND.—

13 (1) IN GENERAL.—There are hereby appro-  
14 priated to the Federal Supplementary Medical Insur-  
15 ance Trust Fund amounts equivalent to the amounts  
16 received in the Treasury by reason of the amend-  
17 ment made by subsection (a). Rules similar to the  
18 rules of section 9601 of the Internal Revenue Code  
19 of 1986 shall apply with respect to transfers made  
20 by reason of the preceding sentence.

21 (2) CONFORMING AMENDMENT.—Section  
22 1841(a) of the Social Security Act (42 U.S.C.  
23 1395t) is amended by inserting “, or section 2(b) of  
24 the SALT Act,” after “this part”.

1 **SEC. 3. PROVIDING COVERAGE FOR HEARING CARE UNDER**  
2 **THE MEDICARE PROGRAM.**

3 (a) PROVISION OF AUDIOLOGY SERVICES BY QUALI-  
4 FIED AUDIOLOGISTS AND QUALIFIED HEARING AID PRO-  
5 FESSIONALS.—

6 (1) IN GENERAL.—Section 1861(ll) of the So-  
7 cial Security Act (42 U.S.C. 1395x(ll)) is amend-  
8 ed—

9 (A) in paragraph (3)—

10 (i) by inserting “(and, beginning Jan-  
11 uary 1, 2025, such aural rehabilitation and  
12 treatment services)” after “assessment  
13 services”;

14 (ii) by inserting “, and, beginning on  
15 January 1, 2025, such hearing assessment  
16 services furnished by a qualified hearing  
17 aid professional,” after “by a qualified au-  
18 diologist”; and

19 (iii) by striking “the audiologist” and  
20 inserting “the audiologist or qualified hear-  
21 ing aid professional”; and

22 (B) in paragraph (4), by adding at the end  
23 the following new subparagraph:

24 “(C) The term ‘qualified hearing aid profes-  
25 sional’ means, with respect to hearing assessment

1 services described in paragraph (3), an individual  
2 who—

3 “(i) is licensed or registered as a hearing  
4 aid dispenser, hearing aid specialist, hearing in-  
5 strument dispenser, or related professional by  
6 the State in which the individual furnishes such  
7 services; and

8 “(ii) meets such other requirements as the  
9 Secretary determines appropriate (including re-  
10 quirements relating to educational certifications  
11 or accreditations), taking into account any addi-  
12 tional requirements for hearing aid specialists,  
13 hearing aid dispensers, and hearing instrument  
14 dispensers established by Medicare Advantage  
15 organizations under part C, State plans (or  
16 waivers of such plans) under title XIX, and the  
17 group health plans and health insurance issuers  
18 (as such terms are defined in section 2791 of  
19 the Public Health Service Act).”.

20 (2) PAYMENT FOR QUALIFIED HEARING AID  
21 PROFESSIONALS.—Section 1833(a)(1) of the Social  
22 Security Act (42 U.S.C. 1395l(a)(1)) is amended—  
23 (A) by striking “and” before “(HH)”; and  
24 (B) by inserting before the semicolon at  
25 the end the following: “and (II) with respect to

1 hearing assessment services (as described in  
2 paragraph (3) of section 1861(l)) furnished by  
3 a qualified hearing aid professional (as defined  
4 in paragraph (4)(C) of such section), the  
5 amounts paid shall be equal to 80 percent of  
6 the lesser of the actual charge for such services  
7 or 85 percent of the amount for such services  
8 determined under the payment basis determined  
9 under section 1848”.

10 (b) COVERAGE OF HEARING AIDS.—

11 (1) INCLUSION OF HEARING AIDS AS PROS-  
12 THETIC DEVICES.—Section 1861(s)(8) of the Social  
13 Security Act (42 U.S.C. 1395x(s)(8)) is amended by  
14 inserting “, and including hearing aids (as described  
15 in section 1834(h)(7)) furnished on or after January  
16 1, 2025, to individuals diagnosed with moderately  
17 severe, severe, or profound hearing loss” before the  
18 semicolon at the end.

19 (2) PAYMENT LIMITATIONS FOR HEARING  
20 AIDS.—Section 1834(h) of the Social Security Act  
21 (42 U.S.C. 1395m(h)) is amended by adding at the  
22 end the following new paragraphs:

23 “(6) PAYMENT ONLY ON AN ASSIGNMENT-RE-  
24 LATED BASIS.—Payment for hearing aids for which  
25 payment may be made under this part may be made



1 only on an assignment-related basis. The provisions  
2 of section 1842(b)(18)(B) shall apply to hearing aids  
3 in the same manner as they apply to services fur-  
4 nished by a practitioner described in subsection  
5 (b)(18)(C).

6 “(7) LIMITATIONS FOR HEARING AIDS.—Pay-  
7 ment may be made under this part with respect to  
8 an individual, with respect to hearing aids furnished  
9 on or after January 1, 2025—

10 “(A) not more than once per ear during a  
11 5-year period;

12 “(B) only for types of such hearing aids  
13 that are determined appropriate by the Sec-  
14 retary; and

15 “(C) only if furnished pursuant to a writ-  
16 ten order of a physician, qualified audiologist  
17 (as defined in section 1861(ll)(4)), qualified  
18 hearing aid professional (as so defined), physi-  
19 cian assistant, nurse practitioner, or clinical  
20 nurse specialist.”.

21 (3) APPLICATION OF COMPETITIVE ACQUISI-  
22 TION.—

23 (A) IN GENERAL.—Section 1834(h)(1)(H)  
24 of the Social Security Act (42 U.S.C.  
25 1395m(h)(1)(H)) is amended—

1 (i) in the header, by inserting “AND  
2 HEARING AIDS” after “ORTHOTICS”;

3 (ii) by inserting “, or of hearing aids  
4 described in paragraph (2)(D) of such sec-  
5 tion,” after “2011,”; and

6 (iii) in clause (i), by inserting “or  
7 such hearing aids” after “such orthotics”.

8 (B) CONFORMING AMENDMENT.—

9 (i) IN GENERAL.—Section 1847(a)(2)  
10 of the Social Security Act (42 U.S.C.  
11 1395w-3(a)(2)) is amended by adding at  
12 the end the following new subparagraph:

13 “(D) HEARING AIDS.—Hearing aids de-  
14 scribed in section 1861(s)(8) for which payment  
15 would otherwise be made under section  
16 1834(h).”.

17 (ii) EXEMPTION OF CERTAIN ITEMS  
18 FROM COMPETITIVE ACQUISITION.—Sec-  
19 tion 1847(a)(7) of the Social Security Act  
20 (42 U.S.C. 1395w-3(a)(7)) is amended by  
21 adding at the end the following new sub-  
22 paragraph:

23 “(C) CERTAIN HEARING AIDS.—Those  
24 items and services described in paragraph  
25 (2)(D) if furnished by a physician or other

1 practitioner (as defined by the Secretary) to the  
2 physician’s or practitioner’s own patients as  
3 part of the physician’s or practitioner’s profes-  
4 sional service.”.

5 (4) INCLUSION OF QUALIFIED AUDIOLOGISTS  
6 AND QUALIFIED HEARING AID PROFESSIONALS AS  
7 CERTAIN PRACTITIONERS TO RECEIVE PAYMENT ON  
8 AN ASSIGNMENT-RELATED BASIS.—Section  
9 1842(b)(18)(C) of the Social Security Act (42  
10 U.S.C. 1395u(b)(18)(C)), is amended by adding at  
11 the end the following new clauses:

12 “(ix) Beginning on January 1, 2025,  
13 a qualified audiologist (as defined in sec-  
14 tion 1861(ll)(4)(B)).

15 “(x) A qualified hearing aid profes-  
16 sional (as defined in section  
17 1861(ll)(4)(C)).”.

18 (c) EXCLUSION MODIFICATION.—Section 1862(a)(7)  
19 of the Social Security Act (42 U.S.C. 1395y(a)(7)) is  
20 amended by inserting “(except such hearing aids or exami-  
21 nations therefor as described in and otherwise allowed  
22 under section 1861(s)(8))” after “hearing aids or exami-  
23 nations therefor”.

1 (d) INCLUSION AS EXCEPTED MEDICAL TREAT-  
2 MENT.—Section 1821(b)(5)(A) of the Social Security Act  
3 (42 U.S.C. 1395i–5(b)(5)(A)) is amended—

4 (1) in clause (i), by striking “or”;

5 (2) in clause (ii), by striking the period and in-  
6 serting “, or”; and

7 (3) by adding at the end the following new  
8 clause:

9 “(iii) consisting of audiology services  
10 described in subsection (ll)(3) of section  
11 1861, or hearing aids described in sub-  
12 section (s)(8) of such section, that are pay-  
13 able under part B as a result of the  
14 amendments made by the SALT Act.”.

15 (e) RURAL HEALTH CLINICS AND FEDERALLY  
16 QUALIFIED HEALTH CENTERS.—

17 (1) CLARIFYING COVERAGE OF AUDIOLOGY  
18 SERVICES AS PHYSICIANS’ SERVICES.—Section  
19 1861(aa)(1)(A) of the Social Security Act (42  
20 U.S.C. 1395x(aa)(1)(A)) is amended by inserting  
21 “(including audiology services (as defined in sub-  
22 section (ll)(3)))” after “physicians’ services”.

23 (2) INCLUSION OF QUALIFIED AUDIOLOGISTS  
24 AND QUALIFIED HEARING AID PROFESSIONALS AS  
25 RHC AND FQHC PRACTITIONERS.—Section

1 1861(aa)(1)(B) of the Social Security Act (42  
2 U.S.C. 1395x(aa)(1)(B)) is amended by inserting  
3 “or by a qualified audiologist or a qualified hearing  
4 aid professional (as such terms are defined in sub-  
5 section (ll)),” after “(as defined in subsection  
6 (hh)(1)),”.

7 (3) TEMPORARY PAYMENT RATES FOR CERTAIN  
8 SERVICES UNDER THE RHC AIR AND FQHC PPS.—

9 (A) AIR.—Section 1833 of the Social Se-  
10 curity Act (42 U.S.C. 1395l) is amended—

11 (i) in subsection (a)(3)(A), by insert-  
12 ing “(which shall, in the case of audiology  
13 services (as defined in section 1861(ll)(3)),  
14 in lieu of any limits on reasonable charges  
15 otherwise applicable, be based on the rates  
16 payable for such services under the pay-  
17 ment basis determined under section 1848  
18 until such time as the Secretary deter-  
19 mines sufficient data has been collected to  
20 otherwise apply such limits (or January 1,  
21 2031, if no such determination has been  
22 made as of such date))” after “may pre-  
23 scribe in regulations”; and

24 (ii) by adding at the end the following  
25 new subsection:

1       “(ee) DISREGARD OF COSTS ATTRIBUTABLE TO CER-  
2 TAIN SERVICES FROM CALCULATION OF RHC AIR.—  
3 Payments for rural health clinic services other than audi-  
4 ology services (as defined in section 1861(ll)(3)) under the  
5 methodology for all-inclusive rates (established by the Sec-  
6 retary) under subsection (a)(3) shall not take into account  
7 the costs of such services while rates for such services are  
8 based on rates payable for such services under the pay-  
9 ment basis established under section 1848.”.

10                   (B) PPS.—Section 1834(o) of the Social  
11 Security Act (42 U.S.C. 1395m(o)) is amended  
12 by adding at the end the following new para-  
13 graph:

14       “(5) TEMPORARY PAYMENT RATES BASED ON  
15 PFS FOR CERTAIN SERVICES.—The Secretary shall,  
16 in establishing payment rates for audiology services  
17 (as defined in section 1861(ll)(3)) that are Federally  
18 qualified health center services under the prospective  
19 payment system established under this subsection, in  
20 lieu of the rates otherwise applicable under such sys-  
21 tem, base such rates on rates payable for such serv-  
22 ices under the payment basis established under sec-  
23 tion 1848 until such time as the Secretary deter-  
24 mines sufficient data has been collected to otherwise  
25 establish rates for such services under such system

1 (or January 1, 2031, if no such determination has  
2 been made as of such date). Payments for Federally  
3 qualified health center services other than such audi-  
4 ology services under such system shall not take into  
5 account the costs of such services while rates for  
6 such services are based on rates payable for such  
7 services under the payment basis established under  
8 section 1848.”.

9 (f) IMPLEMENTATION.—

10 (1) IN GENERAL.—In addition to amounts oth-  
11 erwise available, the Secretary of Health and  
12 Human Services shall provide for the transfer from  
13 the Federal Supplementary Medical Insurance Trust  
14 Fund established under section 1841 of the Social  
15 Security Act (42 U.S.C. 1395t) to the Centers for  
16 Medicare & Medicaid Services Program Management  
17 Account of—

18 (A) \$20,000,000 for each of fiscal years  
19 2024 and 2025 for purposes of implementing  
20 the amendments made by this section; and

21 (B) such sums as determined appropriate  
22 by the Secretary for each subsequent fiscal year  
23 for purposes of administering the provisions of  
24 such amendments.

1           (2) AVAILABILITY AND ADDITIONAL USE OF  
2 FUNDS.—Funds transferred pursuant to paragraph  
3 (1) shall remain available until expended and may be  
4 used, in addition to the purposes specified in para-  
5 graph (1), to implement the amendments made by  
6 section 4.

7           (3) ADMINISTRATION.—The Secretary may im-  
8 plement, by program instruction or otherwise, any of  
9 the provisions of, or amendments made by, this sec-  
10 tion.

11 **SEC. 4. PROVIDING COVERAGE FOR VISION CARE UNDER**  
12 **THE MEDICARE PROGRAM.**

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

15           (1) in subparagraph (II), by striking “and”  
16 after the semicolon at the end;

17           (2) in subparagraph (JJ), by striking the pe-  
18 riod at the end and adding “; and”; and

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

21           “(KK) vision services (as defined in subsection  
22 (nnn));”.

23           (b) VISION SERVICES DEFINED.—Section 1861 of  
24 the Social Security Act (42 U.S.C. 1395x) is amended by  
25 adding at the end the following new subsection:



1           “(nnn) VISION SERVICES.—The term ‘vision services’  
2 means—

3           “(1) routine eye examinations to determine the  
4 refractive state of the eyes, including procedures per-  
5 formed during the course of such examination; and

6           “(2) contact lens fitting services,

7 furnished on or after January 1, 2025, by or under the  
8 direct supervision of an ophthalmologist or optometrist  
9 who is legally authorized to furnish such examinations,  
10 procedures, or fitting services (as applicable) under State  
11 law (or the State regulatory mechanism provided by State  
12 law) of the State in which the examinations, procedures,  
13 or fitting services are furnished.”.

14           (c) PAYMENT LIMITATIONS.—Section 1834 of the  
15 Social Security Act (42 U.S.C. 1395m) is amended by  
16 adding at the end the following new subsection:

17           “(aa) LIMITATION FOR VISION SERVICES.—With re-  
18 spect to vision services (as defined in section 1861(nnn))  
19 and an individual, payment may be made under this part  
20 for only 1 routine eye examination described in paragraph  
21 (1) of such section and 1 contact lens fitting service de-  
22 scribed in paragraph (2) of such section during a 2-year  
23 period.”.

24           (d) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—  
25 Section 1848(j)(3) of the Social Security Act (42 U.S.C.

1 1395w-4(j)(3)) is amended by inserting “(2)(KK),” be-  
2 fore “(3)”.

3 (e) COVERAGE OF CONVENTIONAL EYEGLASSES AND  
4 CONTACT LENSES.—

5 (1) IN GENERAL.—Section 1861(s)(8) of the  
6 Social Security Act (42 U.S.C. 1395x(s)(8)) is  
7 amended by striking “, and including one pair of  
8 conventional eyeglasses or contact lenses furnished  
9 subsequent to each cataract surgery with insertion  
10 of an intraocular lens” and inserting “, including  
11 one pair of conventional eyeglasses or contact lenses  
12 furnished subsequent to each cataract surgery with  
13 insertion of an intraocular lens, if furnished before  
14 January 1, 2025, and including conventional eye-  
15 glasses or contact lenses (as described in section  
16 1834(h)(8)), whether or not furnished subsequent to  
17 such a surgery, if furnished on or after January 1,  
18 2025”.

19 (2) CONFORMING AMENDMENT.—Section  
20 1842(b)(11)(A) of the Social Security Act (42  
21 U.S.C. 1395u(b)(11)(A)) is amended by inserting  
22 “furnished prior to January 1, 2025,” after “relat-  
23 ing to them,”.

24 (f) SPECIAL PAYMENT RULES FOR EYEGLASSES AND  
25 CONTACT LENSES.—

1           (1) LIMITATIONS.—Section 1834(h) of the So-  
2           cial Security Act (42 U.S.C. 1395m(h)), as amended  
3           by section 3, is further amended by adding at the  
4           end the following new paragraph:

5           “(8) PAYMENT LIMITATIONS FOR EYEGLASSES  
6           AND CONTACT LENSES.—

7           “(A) IN GENERAL.—With respect to eye-  
8           glasses and contact lenses furnished to an indi-  
9           vidual on or after January 1, 2025, subject to  
10          subparagraph (B), payment may be made under  
11          this part only—

12           “(i) during a 2-year period, for either  
13          1 pair of eyeglasses (including lenses and  
14          frames) or not more than a 2-year supply  
15          of contact lenses;

16           “(ii) with respect to amounts attrib-  
17          utable to the lenses and frames of such a  
18          pair of eyeglasses or amounts attributable  
19          to such a 2-year supply of contact lenses,  
20          in an amount not greater than—

21           “(I) for a pair of eyeglasses fur-  
22          nished in, or a 2-year supply of con-  
23          tact lenses beginning in, 2025—

24           “(aa) \$85 for the lenses of  
25          such pair of eyeglasses and \$85

1 for the frames of such pair of  
2 eyeglasses; or

3 “(bb) \$85 for such 2-year  
4 supply of contact lenses; and

5 “(II) for the lenses and frames of  
6 a pair of eyeglasses furnished in, or a  
7 2-year supply of contact lenses begin-  
8 ning in, a subsequent year, the dollar  
9 amounts specified under this subpara-  
10 graph for the previous year, increased  
11 by the percentage change in the con-  
12 sumer price index for all urban con-  
13 sumers (United States city average)  
14 for the 12-month period ending with  
15 June of the previous year;

16 “(iii) if furnished pursuant to a writ-  
17 ten order of an ophthalmologist or optom-  
18 etrist described in subsection (nnn); and

19 “(iv) if during the 2-year period de-  
20 scribed in clause (i), the individual did not  
21 already receive (as described in subpara-  
22 graph (B)) one pair of conventional eye-  
23 glasses or contact lenses subsequent to a  
24 cataract surgery with insertion of an intra-  
25 ocular lens furnished during such period.

1           “(B) EXCEPTION.—With respect to a 2-  
2           year period described in subparagraph (A)(i), in  
3           the case of an individual who receives cataract  
4           surgery with insertion of an intraocular lens,  
5           notwithstanding subparagraph (A), payment  
6           may be made under this part for one pair of  
7           conventional eyeglasses or contact lenses fur-  
8           nished subsequent to such cataract surgery dur-  
9           ing such period.

10           “(C) LIMITATION ON JUDICIAL REVIEW.—  
11           There shall be no administrative or judicial re-  
12           view under section 1869 or otherwise of—

13                   “(i) the determination of the types of  
14                   eyeglasses and contact lenses covered  
15                   under this paragraph; or

16                   “(ii) the determination of fee schedule  
17                   rates under this subsection for eyeglasses  
18                   and contact lenses.”.

19           (2) APPLICATION OF COMPETITIVE ACQUISI-  
20           TION.—

21           (A) IN GENERAL.—Section 1834(h)(1)(H)  
22           of the Social Security Act (42 U.S.C.  
23           1395m(h)(1)(H)), as amended by section 3, is  
24           further amended—

1 (i) in the header, by striking “AND  
2 HEARING AIDS” and inserting “HEARING  
3 AIDS, EYEGASSES, AND CONTACT  
4 LENSES”;

5 (ii) by inserting “and of eyeglasses  
6 and contact lenses described in paragraph  
7 (2)(E) of such section,” after “paragraph  
8 (2)(D) of such section,”; and

9 (iii) in clause (i), by inserting “, or  
10 such eyeglasses and contact lenses” after  
11 “such hearing aids”.

12 (B) CONFORMING AMENDMENT.—

13 (i) IN GENERAL.—Section 1847(a)(2)  
14 of the Social Security Act (42 U.S.C.  
15 1395w-3(a)(2)), as amended by section 3,  
16 is further amended by adding at the end  
17 the following new subparagraph:

18 “(E) EYEGASSES AND CONTACT  
19 LENSES.—Eyeglasses and contact lenses de-  
20 scribed in section 1861(s)(8) for which payment  
21 would otherwise be made under section  
22 1834(h).”.

23 (ii) EXEMPTION OF CERTAIN ITEMS  
24 FROM COMPETITIVE ACQUISITION.—Sec-  
25 tion 1847(a)(7) of the Social Security Act

1 (42 U.S.C. 1395w-3(a)(7)), as amended  
2 by section 3, is further amended by adding  
3 at the end the following new subparagraph:

4 “(D) CERTAIN EYEGLASSES AND CONTACT  
5 LENSES.—Those items and services described in  
6 paragraph (2)(E) if furnished by a physician or  
7 other practitioner (as defined by the Secretary)  
8 to the physician’s or practitioner’s own patients  
9 as part of the physician’s or practitioner’s pro-  
10 fessional service.”.

11 (g) EXCLUSION MODIFICATIONS.—Section 1862(a)  
12 of the Social Security Act (42 U.S.C. 1395y(a)) is amend-  
13 ed—

14 (1) in paragraph (1)—

15 (A) in subparagraph (O), by striking  
16 “and” at the end;

17 (B) in subparagraph (P), by striking the  
18 semicolon at the end and inserting “, and”; and

19 (C) by adding at the end the following new  
20 subparagraph:

21 “(Q) in the case of vision services (as defined  
22 in section 1861(nnn)) that are routine eye examina-  
23 tions and contact lens fitting services (as described  
24 in paragraph (1) or (2), respectively, of such sec-

1 tion), which are furnished more frequently than once  
2 during a 2-year period;” and

3 (2) in paragraph (7)—

4 (A) by inserting “(other than such an ex-  
5 amination that is a vision service that is cov-  
6 ered under section 1861(s)(2)(KK))” after “eye  
7 examinations”; and

8 (B) by inserting “(other than such a proce-  
9 dure that is a vision service that is covered  
10 under section 1861(s)(2)(KK))” after “refrac-  
11 tive state of the eyes”.

12 (h) IMPLEMENTATION.—

13 (1) FUNDING.—

14 (A) IN GENERAL.—In addition to amounts  
15 otherwise available, the Secretary of Health and  
16 Human Services (in this subsection referred to  
17 as the “Secretary”) shall provide for the trans-  
18 fer from the Federal Supplementary Medical  
19 Insurance Trust Fund under section 1841 of  
20 the Social Security Act (42 U.S.C. 1395t) to  
21 the Centers for Medicare & Medicaid Services  
22 Program Management Account of—

23 (i) \$20,000,000 for each of fiscal  
24 years 2024 and 2025 for purposes of im-



1           plementing the amendments made by this  
2           section; and

3                   (ii) such sums as determined appro-  
4           priate by the Secretary for each subse-  
5           quent fiscal year for purposes of admin-  
6           istering the provisions of such amend-  
7           ments.

8                   (B) AVAILABILITY AND ADDITIONAL USE  
9           OF FUNDS.—Funds transferred pursuant to  
10          subparagraph (A) shall remain available until  
11          expended and may be used, in addition to the  
12          purpose specified in subparagraph (A)(i), to im-  
13          plement the amendments made by section 3.

14                  (2) ADMINISTRATION.—The Secretary may im-  
15          plement, by program instruction or otherwise, any of  
16          the provisions of, or amendments made by, this sec-  
17          tion.

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