

113TH CONGRESS
1ST SESSION

H. R. 2619

To amend title XVIII of the Social Security Act to provide for Medicare coverage of pulmonary self-management education and training services furnished by a qualified respiratory therapist in a physician practice.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2013

Mr. LEWIS 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 for Medicare coverage of pulmonary self-management education and training services furnished by a qualified respiratory therapist in a physician practice.

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 “Medicare Respiratory
5 Therapist Access Act of 2013”.

1 **SEC. 2. MEDICARE COVERAGE OF PULMONARY SELF-MAN-**
2 **AGEMENT EDUCATION AND TRAINING SERV-**
3 **ICES FURNISHED BY A QUALIFIED RES-**
4 **PIRATORY THERAPIST IN A PHYSICIAN PRAC-**
5 **TICE.**

6 (a) IN GENERAL.—Section 1861 of the Social Secu-
7 rity Act (42 U.S.C. 1395x) is amended—

8 (1) in subsection (s)(2)—

9 (A) by striking “and” at the end of sub-
10 paragraph (EE);

11 (B) by adding “and” at the end of sub-
12 paragraph (FF); and

13 (C) by adding at the end the following new
14 subparagraph:

15 “(GG) pulmonary self-management education
16 and training services (as defined in subsection
17 (iii)(1));”; and

18 (2) by adding at the end the following new sub-
19 section:

20 “(iii) PULMONARY SELF-MANAGEMENT EDUCATION
21 AND TRAINING SERVICES; ELIGIBLE INDIVIDUAL; QUALI-
22 FIED RESPIRATORY THERAPIST.—

23 “(1) For purposes of subsection (s)(2)(GG), the
24 term ‘pulmonary self-management education and
25 training services’ means patient education and train-
26 ing services furnished to an individual diagnosed

1 with a chronic lung disease, including such a disease
2 described in paragraph (2), by a qualified res-
3 piratory therapist (as defined in paragraph (3)) in
4 a physician practice but only if the physician who is
5 managing the chronic lung disease of the individual
6 determines, in accordance with a comprehensive plan
7 of care related to the treatment of the individual for
8 the chronic lung disease, that such services are need-
9 ed to ensure therapy compliance by the individual or
10 to provide the individual with necessary skills and
11 knowledge (including skills related to proper inhaler
12 techniques) to participate in the management of the
13 individual's chronic lung disease.

14 “(2) For purposes of paragraph (1), a chronic
15 lung disease described in this paragraph is any of
16 the following:

17 “(A) Chronic obstructive pulmonary dis-
18 ease (COPD), including emphysema and bron-
19 chitis.

20 “(B) Asthma.

21 “(C) Pulmonary hypertension.

22 “(D) Pulmonary fibrosis.

23 “(E) Cystic fibrosis.

1 “(3) For purposes of paragraph (1), the term
2 ‘qualified respiratory therapist’ means an individual
3 who—

4 “(A) is credentialed by a national
5 credentialing board recognized by the Secretary;

6 “(B)(i) is licensed to practice respiratory
7 therapy in the State in which the respiratory
8 therapy services are performed; or

9 “(ii) in the case of an individual in a State
10 which does not provide for such licensure, is le-
11 gally authorized to perform respiratory therapy
12 services (in the State in which the individual
13 performed such services) under State law (or
14 the State regulatory mechanism provided by
15 State law);

16 “(C) is a registered respiratory therapist;
17 and

18 “(D) holds at a minimum either a bach-
19 elor’s degree or other advanced degree from an
20 accredited school of higher education in a
21 health science field.”.

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