

118TH CONGRESS
1ST SESSION

H. R. 6693

To amend title XVIII of the Social Security Act to authorize the coverage of additional lung cancer screening tests under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2023

Mr. BUCHANAN (for himself, Mr. KILMER, Mrs. STEEL, and Mr. BUCSHON) 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 authorize the coverage of additional lung cancer screening tests 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 “Lung Cancer Screen-
5 ing and Prevention Act of 2023”.

1 **SEC. 2. AUTHORITY TO EXPAND COVERAGE OF TESTS FOR**
2 **LUNG CANCER SCREENING UNDER THE**
3 **MEDICARE PROGRAM.**

4 (a) IN GENERAL.—Section 1834(n) of the Social Se-
5 curity Act (42 U.S.C. 1395m(n)) is amended—

6 (1) by redesignating subparagraphs (A) and
7 (B) of paragraph (1) as clauses (i) and (ii), respec-
8 tively, with appropriate indentation;

9 (2) by redesignating paragraphs (1) and (2) as
10 subparagraphs (A) and (B), respectively, with appro-
11 priate indentation;

12 (3) by striking “Notwithstanding any other pro-
13 vision of this title” and inserting:

14 “(1) IN GENERAL.—Notwithstanding any other
15 provision of this title and subject to paragraph (2)”;
16 and

17 (4) by adding at the end the following new
18 paragraph:

19 “(2) AUTHORITY TO COVER NEW LUNG CANCER
20 SCREENING TESTS AS PREVENTIVE SERVICES.—

21 “(A) IN GENERAL.—Notwithstanding para-
22 graph (1), in addition to preventive services
23 consisting of screening tests for the early detec-
24 tion of lung cancer covered under this part pur-
25 suant to national coverage determination
26 210.14, the Secretary may provide for coverage

1 under this part of other lung cancer screening
2 tests that are cleared or approved by the Food
3 and Drug Administration as preventive services
4 when furnished to appropriate individuals (as
5 determined by the Secretary), with such fre-
6 quency and payment limits as the Secretary de-
7 termines appropriate in consultation with ap-
8 propriate organizations.

9 “(B) USE OF NATIONAL COVERAGE DE-
10 TERMINATION PROCESS.—

11 “(i) IN GENERAL.—Coverage of other
12 lung cancer screening tests under subpara-
13 graph (A) shall be determined using the
14 process for making national coverage de-
15 terminations (as defined in section
16 1869(f)(1)(B)), except that there shall be
17 no requirement for a determination under
18 section 1861(ddd)(3)(B) with respect to
19 such test under such process.

20 “(ii) RULE OF CONSTRUCTION.—
21 Nothing in clause (i) shall be construed as
22 preventing the Secretary from considering
23 recommendations made by entities with ex-
24 pertise in preventive services, including en-
25 tities convened by the Secretary or the Di-

1 rector of the Agency for Healthcare Re-
2 search and Quality, with respect to other
3 lung cancer screening tests described in
4 subparagraph (A).”.

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 subsection (a) shall take effect on the date of the enact-
7 ment of this Act, and apply with respect to coverage of
8 preventive services under Part B of title XVIII of the So-
9 cial Security Act (42 U.S.C. 1395j et seq.) on or after
10 such date.

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