

117TH CONGRESS  
2D SESSION

# H. R. 9127

To amend title XVIII of the Social Security Act to clarify the use of the national coverage determination process under the Medicare program.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2022

Mr. BUCHANAN (for himself and Ms. BARRAGÁN) 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

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## A BILL

To amend title XVIII of the Social Security Act to clarify the use of the national coverage determination process 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 “Mandating Exclusive  
5 Review of Individual Treatments (MERIT) Act”.

1 **SEC. 2. CLARIFICATION ON MEDICARE NATIONAL COV-**  
2 **ERAGE DETERMINATION PROCESS.**

3       Section 1862(a) of the Social Security Act (42 U.S.C.  
4 1395y(a)) is amended by adding at the end the following  
5 new sentence: “For purposes of paragraph (1)(E), in the  
6 case of research conducted pursuant to section 1142, the  
7 determination of whether a drug or biological is reasonable  
8 and necessary to carry out the purposes of section 1142  
9 shall be made with respect to each drug or biological in-  
10 volved and not with respect to a class of drugs or  
11 biologicals.”.

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