

117TH CONGRESS
2D SESSION

H. R. 6848

To provide for a Medicare demonstration project to evaluate the fiscal impact of covering low vision devices as durable medical equipment under part B of the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2022

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BILIRAKIS, Mr. AGUILAR, Mrs. AXNE, Mr. BACON, Mr. BISHOP of Georgia, Mr. COHEN, Mr. DEFazio, Mr. FITZPATRICK, Ms. HOULAHAN, Mr. HUFFMAN, Mr. LEVIN of Michigan, Ms. MCCOLLUM, Mr. MORELLE, Mr. MOULTON, Mr. NEGUSE, Ms. NORTON, Mr. PETERS, Ms. PORTER, Mr. RUSH, Mr. SCHIFF, Mr. SOTO, Mr. SUOZZI, Mr. TAKANO, Ms. TLAIb, Ms. VELÁZQUEZ, and Ms. WILD) 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 provide for a Medicare demonstration project to evaluate the fiscal impact of covering low vision devices as durable medical equipment under part B of 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicare Demonstra-
3 tion of Coverage for Low Vision Devices Act of 2022”.

4 **SEC. 2. DEMONSTRATION PROJECT ON MEDICARE COV-
5 ERAGE OF LOW VISION DEVICES AS DURABLE
6 MEDICAL EQUIPMENT.**

7 (a) ESTABLISHMENT OF DEMONSTRATION
8 PROJECT.—

9 (1) IN GENERAL.—Beginning not later than 1
10 year after the date of the enactment of this Act, the
11 Secretary of Health and Human Services (in this
12 section referred to as the “Secretary”) shall com-
13 mence a project (in this section referred to as the
14 “demonstration project”) to demonstrate and evalu-
15 ate the fiscal impact of covering low vision devices
16 (including subsets of such devices) under part B of
17 title XVIII of the Social Security Act (42 U.S.C.
18 1395j et seq.) in the same or similar manner as cov-
19 erage is provided for durable medical equipment
20 under such part.

21 (2) LOW VISION DEVICE DEFINED.—In this sec-
22 tion, the term “low vision device” means a device,
23 prescribed by a physician, that magnifies, enhances,
24 or otherwise augments or interprets visual images ir-
25 respective of the size, form, or technological features
26 of such device and does not include ordinary eye-

1 glasses or contact lenses. In the previous sentence,
2 the term “ordinary eyeglasses or contact lenses”
3 means lenses that are intended to fully correct visual
4 acuity or fully eliminate refractive error.

5 (b) PROJECT DETAILS.—

6 (1) ELIGIBLE PARTICIPANTS.—An individual
7 enrolled under such part is eligible to participate in
8 the demonstration project if an ophthalmologist or
9 optometrist, after a clinical evaluation, has deter-
10 mined and certifies through a prescription that fur-
11 nishing a low vision device to the individual is medi-
12 cally necessary.

13 (2) NATIONAL SCOPE AND DURATION.—The
14 demonstration project shall be national in scope and
15 shall be conducted for a period of 5 years.

16 (3) PROJECT DESIGN.—The Secretary shall de-
17 sign the demonstration project in a manner so as to
18 provide a rich, well-structured, and defined data set
19 from which inferences about the fiscal impact on the
20 Federal Supplementary Medical Insurance Trust
21 Fund under section 1841 of the Social Security Act
22 (42 U.S.C. 1395t) resulting from the permanent
23 coverage under part B of title XVIII of the Social
24 Security Act (42 U.S.C. 1395j et seq.) of low vision
25 devices (including coverage for subcategories or sub-

1 sets of such devices) can be made using appropriate
2 statistical methods. To the maximum extent pos-
3 sible, such demonstration project shall evaluate the
4 fiscal impact of permanent coverage under such part
5 for the most function-rich, most powerful, and most
6 expensive low vision devices.

7 (4) CONSULTATION.—In conducting the dem-
8 onstration project the Secretary shall consult with
9 organizations of consumers with vision loss and
10 other stakeholder organizations.

11 (c) REPORTS.—

12 (1) INTERIM REPORT.—Not later than 180
13 days after the last day of the third year of the dem-
14 onstration project, the Secretary shall submit to the
15 Committee on Finance of the Senate and to the
16 Committees on Ways and Means and Energy and
17 Commerce of the House of Representatives a report
18 that describes the progress and preliminary findings
19 from the demonstration project.

20 (2) FINAL REPORT.—Not later than 180 days
21 after the last day of the demonstration project and
22 after solicitation and consideration of formal written
23 input on the project from organizations representing
24 consumers with vision loss and other stakeholder or-
25 ganizations, the Secretary shall submit to such Com-

1 mittees a final report on the project. Such report
2 shall include an evaluation of the fiscal impact on
3 the Medicare program under part B of title XVIII
4 of the Social Security Act (42 U.S.C. 1395 et seq.)
5 of providing coverage of low vision devices (including
6 coverage for subcategories or subsets of such de-
7 vices) and such other findings and recommendations
8 as the Secretary deems appropriate.

9 (d) FUNDING.—For fiscal year 2022 and for each of
10 the four succeeding fiscal years, out of any funds in the
11 Treasury not otherwise appropriated, \$2,500,000 is ap-
12 propriated to the Secretary to carry out the demonstration
13 project.

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