

117TH CONGRESS
1ST SESSION

H. R. 5612

To amend title XVIII of the Social Security Act to provide for a one-year waiver of budget neutrality adjustments under the Medicare physician fee schedule, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 2021

Mr. BURGESS introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Appropriations, 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 a one-year waiver of budget neutrality adjustments under the Medicare physician fee schedule, and for other purposes.

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. ONE-YEAR WAIVER OF BUDGET NEUTRALITY**
 2 **ADJUSTMENTS UNDER MEDICARE PHYSICIAN**
 3 **FEE SCHEDULE.**

4 (a) WAIVER OF BUDGET NEUTRALITY ADJUST-
 5 MENTS.—Section 1848(c)(2) of the Social Security Act
 6 (42 U.S.C. 1395w–4(c)(2)) is amended—

7 (1) in subparagraph (B)—

8 (A) in clause (ii)(II), by striking “clauses
 9 (iv) and (v)” and inserting “clauses (iv), (v),
 10 and (vii)”; and

11 (B) by adding at the end the following:

12 “(vii) NON-APPLICATION OF BUDGET
 13 NEUTRALITY ADJUSTMENTS FOR 2022.—

14 The budget neutrality adjustments under
 15 clause (ii)(II) and subparagraph (F) shall
 16 not be applied for 2022.”; and

17 (2) in subparagraph (F), in the matter pre-
 18 ceding clause (i), by inserting “, subject to subpara-
 19 graph (B)(vii)” after “The Secretary”.

20 (b) PUBLIC HEALTH AND SOCIAL SERVICES EMER-
 21 GENCY FUND.—

22 (1) IN GENERAL.—From the unobligated bal-
 23 ances of amounts made available under the heading
 24 “Department of Health and Human Services—Of-
 25 fice of the Secretary—Public Health and Social
 26 Services Emergency Fund” by the provisions listed

1 in subsection (b) (in the order of such provisions as
2 specified by the Secretary of Health and Human
3 Services), \$10,000,000,000, to be derived from such
4 amounts that are not allocated to eligible health care
5 providers or for provider relief, is hereby rescinded.

6 (2) PROVISIONS.—The provisions listed in this
7 subsection are the following:

8 (A) Title VIII of division B of the
9 Coronavirus Aid, Relief, and Economic Security
10 Act (Public Law 116–136).

11 (B) Title I of division B of the Paycheck
12 Protection Program and Health Care Enhance-
13 ment Act (Public Law 116–139).

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