

117TH CONGRESS  
1ST SESSION

# H. R. 6048

To prohibit the Secretary of Health and Human Services from taking certain actions with respect to the clinical labor price, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2021

Mr. RUSH (for himself and Mr. BILIRAKIS) 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 prohibit the Secretary of Health and Human Services from taking certain actions with respect to the clinical labor price, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Medicare Stability for  
5       Patients and Providers Act”.

1 **SEC. 2. PROHIBITING IMPLEMENTATION OF CERTAIN**  
2 **LABOR PRICE UPDATES UNDER THE 2022**  
3 **PHYSICIAN FEE SCHEDULE; REPORT.**

4 (a) IN GENERAL.—Notwithstanding any other provi-  
5 sion of law, the Secretary of Health and Human Services  
6 shall maintain clinical labor prices under the 2022 physi-  
7 cian fee schedule and not take any action to implement,  
8 finalize, or enforce the clinical labor price updates of the  
9 final rule published by the Centers for Medicare & Med-  
10 icaid Services on November 19, 2021, entitled “Medicare  
11 Program; CY 2022 Payment Policies Under the Physician  
12 Fee Schedule and Other Changes to Part B Payment Poli-  
13 cies; Medicare Shared Savings Program Requirements;  
14 Provider Enrollment Regulation Updates; Provider and  
15 Supplier Prepayment and Post-Payment Medical Review  
16 Requirements”.

17 (b) REPORT.—Not later than 12 months after the  
18 date of the enactment of this Act, the Secretary of Health  
19 and Human Services shall submit to Congress a report  
20 on the physician fee schedule under the Medicare program  
21 under section 1848 of the Social Security Act (42 U.S.C.  
22 1395w–4), including—

23 (1) an analysis of provider reimbursement  
24 under such physician fee schedule and whether or  
25 not such reimbursement has sufficiently taken into  
26 account medical inflation over the last 20 years;

1           (2) an analysis of whether significant annual  
2       changes in provider reimbursement are a cause of  
3       site-of-service migration and disruptions in patient  
4       access and cost-sharing; and

5           (3) based on paragraphs (1) and (2), rec-  
6       ommendations for reforming such fee schedule to  
7       minimize significant annual changes in provider re-  
8       imbursement and appropriately account for inflation  
9       updates.

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