

117TH CONGRESS
2D SESSION

H. R. 9090

To amend title XVIII of the Social Security Act to treat certain multimarker testing relating to ovarian cancer as reasonable and necessary for coverage under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2022

Ms. DEAN 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 treat certain multimarker testing relating to ovarian cancer as reasonable and necessary for coverage 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 “Diane Powis Ovarian
5 Cancer Testing Access Act”.

1 **SEC. 2. CERTAIN MULTIMARKER TESTING RELATED TO**
2 **OVARIAN CANCER DEEMED REASONABLE**
3 **AND NECESSARY FOR MEDICARE COVERAGE.**

4 Section 1834 of the Social Security Act (42 U.S.C.
5 1395m) is amended by adding at the end the following
6 new subsection:

7 “(z) CERTAIN MULTIMARKER TESTING RELATED TO
8 OVARIAN CANCER DEEMED REASONABLE AND NEC-
9 ESSARY.—

10 “(1) IN GENERAL.—In the case of a clinical di-
11 agnostic laboratory test that is a multimarker test
12 related to ovarian cancer that is furnished on or
13 after January 1, 2023, to an individual who has
14 been diagnosed with an ovarian adnexal mass, such
15 test shall be deemed reasonable and necessary for
16 purposes of section 1862(a)(1)(A) if the physician
17 who orders such test determines such test is nec-
18 essary for such individual and prescribes, dispenses,
19 or administers such test for use in accordance with
20 the labeling approved for such test by the Food and
21 Drug Administration.

22 “(2) MULTIMARKER TEST RELATED TO OVAR-
23 IAN CANCER DEFINED.—For purposes of this sub-
24 section, the term ‘multimarker test related to ovar-

- 1 ian cancer' means a test that evaluates more than
- 2 one tumor marker with respect to ovarian cancer.'".

