H. R. ______

To amend title XVIII of the Social Security Act to revise payment amounts for results of COVID–19 PCR diagnostic panels, to require laboratories to furnish the results such panels within 28 days as a condition of participation under such title, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. SHERRILL introduced the following bill; which was referred to the Committee on ______________________

A BILL

To amend title XVIII of the Social Security Act to revise payment amounts for results of COVID–19 PCR diagnostic panels, to require laboratories to furnish the results such panels within 28 days as a condition of participation under such title, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strictly Pay for Efficient and Expedited Delivery of Your COVID-19 Tests Act” or the “SPEEDY COVID-19 Tests Act”.

(Original Signature of Member)
SEC. 2. REVISION TO PAYMENT AMOUNTS FOR RESULTS OF COVID–19 PCR DIAGNOSTIC PANELS.

(a) IN GENERAL.—Section 1834A of the Social Security Act (42 U.S.C. 1395m–1) is amended by adding at the end the following new subsection:

“(j) PAYMENT FOR DELAYED RESULTS OF COVID–19 PCR DIAGNOSTIC PANELS.—

“(1) IN GENERAL.—In the case of a clinical diagnostic laboratory test that is the ‘CDC 2019 Novel Coronavirus (2019-nCoV) Real-Time Reverse Transcriptase (RT)–PCR Diagnostic Panel’, during the emergency period described in section 1135(g)(1)(B) beginning of the date of the enactment of this subsection, subject to paragraph (2), if the laboratory furnishes the result of such test to the physician or provider of services from which such test was ordered—

“(A) during the period that is not more than 24 hours after such test was so ordered, the amount of payment for such test shall be 125 percent of the amount of payment under this section on the date of the enactment of this subsection;

“(B) during the period that is more than 24 hours and less than 48 hours after such test was so ordered, the amount of payment for
such test shall be 100 percent of the amount of payment under this section on the date of the enactment of this subsection;

“(C) during the period that is more than 48 hours and less than 72 hours after such test was so ordered, payment for such test shall be 100 percent of the amount of payment under this section on the first date of such emergency period;

“(D) during the period that is at least 72 hours after such test was so ordered, payment may not be made for such test under this section.

“(2) EXCEPTION FOR COVID—19 PCR DIAGNOSTIC PANELS FURNISHED IN RURAL AND MEDICALLY UNDERSERVED AREAS.—In the case of a physician or provider of services that furnishes a test described in paragraph (1) in a rural or medically underserved area, for purposes of determining the applicable period under such paragraph, the number of hours from which the laboratory furnished the result of the test to the physician or provider of services after such test was ordered shall be reduced by 36 hours.”.
(b) CONFORMING AMENDMENT.—Section 1834A of the Social Security Act (42 U.S.C. 1395m–1), as amended by subsection (a), is further amended—

(1) in subsection (b)—

(A) in paragraph (1)(A), by striking “Subject to paragraph (3) and subsections (c) and (d)” and inserting “Subject to paragraph (3) and subsections (c), (d), and (j)”;

(B) in paragraph (3), by striking “Payment” and inserting “Subject to subsection (j), payment”;

(2) in subsection (c)(1), by inserting “subject to subsection (j),” before “payment”; and

(3) in subsection (d)—

(A) in paragraph (1)(A), by inserting “subject to subsection (j),” before “the payment amount”; and

(B) in paragraph (3), by striking “Subject to paragraph (4)” and inserting “Subject to paragraph (4) and subsection (j)”.

SEC. 3. CONDITION OF PARTICIPATION FOR LABORATORIES TO FURNISH THE RESULTS OF COVID–19 PCR DIAGNOSTIC PANELS WITHIN 28 DAYS.

Section 1866(a)(1) of the Social Security Act (42 U.S.C. 1395ce(a)(1)) is amended—

(1) in subparagraph (Y)(ii)—

(A) in subclause (IV)(bb), by striking at the end “and”; and

(B) in subclause (V), by striking the period at the end and inserting “; and”; and

(2) by inserting after subparagraph (Y)(ii)(V) the following new subparagraph:

“(Z) in the case of a laboratory that receives an order from a physician or provider of services to furnish the result of a test described in section 1834A(j)(1) during the emergency period described in section 1135(g)(1)(B), to furnish the result to the physician or provider of services from which such test was ordered during the period that is 28 days after such test was so ordered.”.