To amend to title XVIII of the Social Security Act to provide for a physician payment update under the Medicare program for December of 2010.

IN THE SENATE OF THE UNITED STATES

Mr. BAUCUS (for himself and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend to title XVIII of the Social Security Act to provide for a physician payment update under the Medicare program for December of 2010.

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 “The Physician Pay-
5 ment and Therapy Relief Act of 2010”.
6 SEC. 2. PHYSICIAN PAYMENT UPDATE.
7 Section 1848(d)(11) of the Social Security Act (42
8 U.S.C. 1395w–4(d)(11)) is amended—
(1) in the heading, by striking “NOVEMBER” and inserting “DECEMBER”;

(2) in subparagraph (A), by striking “November 30” and inserting “December 31”; and

(3) in subparagraph (B)—

(A) in the heading, by striking “REMAINING PORTION OF 2010” and inserting “2011”;

and

(B) by striking “the period beginning on December 1, 2010, and ending on December 31, 2010, and for”.

SEC. 3. TREATMENT OF MULTIPLE SERVICE PAYMENT POLICIES FOR THERAPY SERVICES.

(a) SMALLER PAYMENT DISCOUNT FOR CERTAIN MULTIPLE THERAPY SERVICES.—Section 1848(b) of the Social Security Act (42 U.S.C. 1395w–4(b)) is amended by adding at the end the following new paragraph:

“(7) ADJUSTMENT IN DISCOUNT FOR CERTAIN MULTIPLE THERAPY SERVICES.—In the case of therapy services furnished on or after January 1, 2011, and for which payment is made under fee schedules established under this section, instead of the 25 percent multiple procedure payment reduction specified in the final rule published by the Secretary in the
Federal Register on November 29, 2010, the reduction percentage shall be 20 percent.”.

(b) Exemption of Payment Reduction From Budget-neutrality.—Section 1848(c)(2)(B)(v) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)(B)(v)) is amended by adding at the end the following new subclause:

“(VII) Reduced expenditures for multiple therapy services.—Effective for fee schedules established beginning with 2011, reduced expenditures attributable to the multiple procedure payment reduction for therapy services (as described in subsection (b)(7)).”.

SEC. 4. Determination of Budgetary Effects.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.