

110TH CONGRESS  
1ST SESSION

# S. 1277

To amend title XVIII of the Social Security Act to clarify the treatment of payment under the Medicare program for clinical laboratory tests furnished by critical access hospitals.

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IN THE SENATE OF THE UNITED STATES

MAY 3, 2007

Mr. NELSON of Nebraska introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to clarify the treatment of payment under the Medicare program for clinical laboratory tests furnished by critical access hospitals.

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 “Critical Access to Clin-  
5 ical Lab Services Act of 2007”.

1 **SEC. 2. CLARIFICATION OF PAYMENT FOR CLINICAL LAB-**  
2 **ORATORY TESTS FURNISHED BY CRITICAL**  
3 **ACCESS HOSPITALS.**

4 (a) IN GENERAL.—Section 1834(g)(4) of the Social  
5 Security Act (42 U.S.C. 1395m(g)(4)) is amended—

6 (1) in the heading, by striking “**NO BENE-**  
7 **FICIARY COST-SHARING FOR**” and inserting  
8 “**TREATMENT OF**”; and

9 (2) by adding at the end the following new sen-  
10 tence: “For purposes of the preceding sentence and  
11 section 1861(mm)(3), clinical diagnostic laboratory  
12 services furnished by a critical access hospital shall  
13 be treated as being furnished as part of outpatient  
14 critical access services without regard to whether—

15 “(A) the individual with respect to whom  
16 such services are furnished is physically present  
17 in the critical access hospital at the time the  
18 specimen is collected;

19 “(B) such individual is registered as an  
20 outpatient on the records of, and receives such  
21 services directly from, the critical access hos-  
22 pital; or

23 “(C) payment is (or, but for this sub-  
24 section, would be) available for such services  
25 under the fee schedule established under section  
26 1833(h).”.

1           (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) shall apply to cost reporting periods begin-  
3 ning on or after the date of enactment of this Act.

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