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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To amend title XVIII of the Social Security Act to provide coverage for
acupuncturist services under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

Ms. CHU introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend title XVIII of the Social Security Act to provide
coverage for acupuncturist services 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 “Acupuncture for Our
5 Seniors Act of 2021”.

1 **SEC. 2. COVERAGE FOR ACUPUNCTURIST SERVICES UNDER**
2 **THE MEDICARE PROGRAM.**

3 (a) IN GENERAL.—Section 1861 of the Social Secu-
4 rity Act (42 U.S.C. 1395x) is amended—

5 (1) in subsection (s)(2)—

6 (A) by striking “and” at the end of sub-
7 paragraph (GG);

8 (B) by adding “and” at the end of sub-
9 paragraph (HH); and

10 (C) by adding at the end the following new
11 subparagraph:

12 “(II) qualified acupuncturist services (as de-
13 fined in subsection (lll)(1));”; and

14 (2) by adding at the end the following new sub-
15 section:

16 “Qualified Acupuncturist Services

17 “(lll)(1) The term ‘qualified acupuncturist services’
18 means such services furnished by a qualified acupuncturist
19 (as defined in paragraph (2)), and such services and sup-
20 plies furnished as an incident to services furnished by the
21 qualified acupuncturist, as the qualified acupuncturist is
22 legally authorized to perform under State law.

23 “(2) The term ‘qualified acupuncturist’ means an in-
24 dividual who is licensed or certified as an acupuncturist
25 by a State or, in the case of an individual in a State that
26 does not provide for such licensure or certification, meets

1 such criteria (such as accreditation through an appro-
2 priate nationally recognized certification authority for
3 acupuncturists) as the Secretary may specify. In speci-
4 fying such requirements, the Secretary may use the same
5 requirements as those established by such a certification
6 authority.”.

7 (b) PAYMENT RULES.—

8 (1) PAYMENT UNDER PHYSICIAN FEE SCHED-
9 ULE.—Section 1848(j)(3) of the Social Security Act
10 (42 U.S.C. 1395w-4(j)(3)) is amended by inserting
11 “(2)(GG),” before “(3),”.

12 (2) SEPARATE PAYMENT FOR SERVICES OF IN-
13 STITUTIONAL PROVIDERS.—Section 1833(a)(2)(B)
14 of the Social Security Act (42 U.S.C.
15 1395l(a)(2)(B)) is amended—

16 (A) in clause (i), by inserting “and in the
17 case of qualified acupuncturist services,” after
18 “1999,”;

19 (B) in clause (ii), by inserting “or in the
20 case of qualified acupuncturist services,” after
21 “1999,”; and

22 (C) in clause (iii), by inserting “(other
23 than qualified acupuncturist services)” after
24 “such services”.

1 (3) QUALIFIED ACUPUNCTURIST TREATMENT
2 AS A PRACTITIONER.—Section 1842(b)(18)(C) of the
3 Social Security Act (42 U.S.C. 1395u(b)(18)(C)) is
4 amended by adding at the end the following new
5 clause:

6 “(vii) A qualified acupuncturist (as defined in
7 section 1861(11)(2)).”.

8 (4) SEPARATE BILLING FOR ACUPUNCTURIST
9 SERVICES FURNISHED IN AN INPATIENT HOSPITAL
10 SETTING.—Section 1861(b)(4) of the Social Security
11 Act (42 U.S.C. 1395x(b)(4)) is amended by insert-
12 ing “qualified acupuncturist services,” after “quali-
13 fied psychologist services,”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section apply with respect to services furnished on or
16 after the date that is 270 days after the date of enactment
17 of this Act.