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Bill Text 113th Congress (2013-2014) H.R.27.IH

<i>THIS SEARCH</i>	<i>THIS DOCUMENT</i>	<i>GO TO</i>
Next Hit	Forward	New Bills Search
Prev Hit	Back	HomePage
Hit List	Best Sections	Help
	Contents Display	

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Bill PDF	XML [Help]	Printer Friendly [Help]	Congressional Record References	Bill Summary & Status
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H.R.27 -- Small Supplier Fairness in Bidding Competition Act of 2013 (Introduced in House - IH)

HR 27 IH

113th CONGRESS

1st Session

H. R. 27

To amend title XVIII of the Social Security Act to repeal the Medicare competitive acquisition program for durable medical equipment and prosthetics, orthotics, and supplies (DMEPOS), and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

January 3, 2013

Ms. VELAZQUEZ introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, the Judiciary, and Small Business, 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 repeal the Medicare competitive acquisition program for durable medical equipment and prosthetics, orthotics, and supplies (DMEPOS), 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 `Small Supplier Fairness in Bidding Competition Act of 2013'.

SEC. 2. REPEAL OF MEDICARE DMEPOS COMPETITIVE ACQUISITION PROGRAM.

(a) In General- Section 1847 of the Social Security Act (42 U.S.C. 1395w-3) is repealed.

(b) Effective Date-

(1) IN GENERAL- The repeal made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) IMPACT ON CURRENT CONTRACTS- In the case of any contract awarded under section 1847 of the Social Security Act before the date of the repeal of such section--

(A) the contract is terminated;

(B) no payment shall be made under title XVIII of such Act on or after the date of the enactment of this Act based on such a contract; and

(C) to the extent that any damages may be applicable as a result of the termination of such contracts, such damages shall be payable from the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act.

(3) CONSTRUCTION- Nothing in this subsection shall be construed to provide an independent cause of action or right to administrative or judicial review with regard to the termination provided under this subsection.

(c) Report- Not later than one year after the date of the enactment of this Act, the Administrator of the Centers for Medicare & Medicaid Services shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report providing an analysis of the impact of competitive bidding on small clinical laboratories.

SEC. 3. SMALL BUSINESS ADVOCACY REVIEW PANELS.

Section 609(d) of title 5, United States Code, is amended--

(1) in paragraph (2), by striking at the end `and';

(2) in paragraph (3), by striking the period at the end and inserting `; and'; and

(3) by adding at the end the following new paragraph:

`(4) the Centers for Medicare & Medicaid Services of the Department of Health and Human Services (solely with respect to its capacity to issue rules governing the Medicare part B fee schedule for clinical laboratory services).'

<i>THIS SEARCH</i>	<i>THIS DOCUMENT</i>	<i>GO TO</i>
Next Hit	Forward	New Bills Search
Prev Hit	Back	HomePage
Hit List	Best Sections	Help
	Contents Display	

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