

**AMENDMENT**

**OFFERED BY MR. BURGESS OF TEXAS AND MR.  
PALLONE OF NEW JERSEY**

**[Page and line numbers to SGR-EC\_\_16; July 18, 2013, 4:58  
p.m.]**

Page 3, line 15, insert “QUALITY” before “UPDATE”.

Page 5, beginning on line 20, strike “2019 and each subsequent year” and insert “the performance period (as defined in subsection (q)(2)(B)) with respect to 2019 and the performance period with respect to each subsequent year”.

Page 5, beginning on line 22, strike “(including electronic prescribing quality measures)”.

Page 6, line 3, strike “quality” and insert “core”.

Page 6, line 5, insert “and year involved” after “provider”.

Page 7, line 19, strike “QUALITY MEASURE SETS” and insert “FINAL CORE MEASURE SETS”.

Page 8, line 1, strike “final quality measure set” and insert “final core measure set”.

Page 8, line 22, strike “There shall be included as a peer cohort a peer cohort developed by the Secretary for multispecialty groups.” and insert “For purposes of this subsection and subsection (q), the Secretary shall develop one or more peer cohorts for multispecialty groups, each of which shall be included as a peer cohort under this subparagraph.”.

Page 9, line 14, insert “CORE” before “MEASURE”.

Page 10, line 14, strike “process measures” and insert “functional status measures”.

Page 10, line 19, strike “best clinical practices” and insert “best practices and clinical practice guidelines”.

Page 11, lines 6 through 7, strike “QUALITY MEASURE SETS” and insert “CORE MEASURE SETS”.

Page 11, line 11, strike “quality” and insert “core”.

Page 11, line 13, strike “quality” and insert “core”.

Page 12, line 1, strike “quality” and insert “core”.

Page 12, beginning on line 3, strike “that all quality domains and peer cohorts are addressed by” and insert “that all peer cohorts, and to the extent practicable all quality domains, are addressed by”.

page 12, line 5, insert “and, as applicable, clinical practice improvement activities” after “measures”.

Page 12, line 6, insert “core” before “measures set”.

Page 12, line 8, insert “or clinical practice improvement activity” after “measure”.

Page 12, line 14, insert “relevant” before “eligible professional”.

Page 12, lines 15 through 16, strike “authorized” and insert “requested”.

Page 12, line 24, strike “approved” and insert “endorsed”.

Page 14, line 5, strike “clinical practices” and insert “practices and clinical practice guidelines identified under subparagraph (C)(i)(II)”.

Page 15, strike lines 6 through 24, and insert the following:

1                   “(iii) TRANSPARENCY.—Before pub-  
2                   lishing in a final regulation a core measure  
3                   set under clause (i) as a final core measure  
4                   set under subparagraph (F), the Secretary  
5                   shall—

1 “(I) submit for publication in ap-  
2 plicable specialty-appropriate peer-re-  
3 viewed journals such core measure set  
4 under clause (i) and the method for  
5 developing and selecting measures  
6 within such set, including clinical and  
7 other data supporting such measures,  
8 and, as applicable, the method for se-  
9 lecting clinical practice improvement  
10 activities included within such set;  
11 and

12 “(II) regardless of whether or not  
13 the core measure set or method is  
14 published in such a journal under sub-  
15 clause (I), provide for notice of the  
16 proposed regulation in the Federal  
17 Register, including with respect to the  
18 applicable methods and data described  
19 in subclause (I), and a period for pub-  
20 lic comment thereon.

21 “(F) FINAL CORE MEASURE SETS.—Not  
22 later than November 15 of the year prior to the  
23 first day of a performance period, the Secretary  
24 shall publish a final regulation in the Federal  
25 Register that includes a final core measure set

1 (and the applicable methods and data described  
2 in subparagraph (E)(iii)(I))”.

Page 16, line 10, strike “quality” and insert “core”.

Page 16, line 19, strike “quality measures” and in-  
sert “core measure”.

Page 17, line 4, insert “relevant” after “clause (i),”.

Page 17, line 10, strike “quality measures” and in-  
sert “core measure”.

Page 18, line 1, strike “quality” and insert “core”.

Page 18, line 6, strike “and”.

Page 18, after line 6, insert the following subclause:

3 (II) removed, from final core  
4 measure sets, quality measures and  
5 clinical practice improvement activities  
6 that are no longer meaningful; and

Page 18, line 7, strike “(II) modified final quality”  
and insert “(III) updated final core”.

Page 18, line 13, strike “quality” and insert “core”.

Page 18, line 14, strike “modified” and insert “up-  
dated”.

Page 18, line 16, strike “quality” and insert “core”.

Page 18, line 20, strike “MODIFICATIONS” and insert “UPDATES”.

Page 18, line 21, strike “a modification” and insert “an update”.

Page 18, line 22, strike “clause (iii)(II)” and insert “subclause (II) or (III) of clause (iii)”.

Page 18, lines 24 through 25, strike “modification” and insert “update”.

Page 19, line 2, strike “modification” and insert “update”.

Page 19, line 6, strike “MODIFIED MEASURE” and insert “UPDATED FINAL CORE MEASURE”.

Page 19, line 7, insert “to” after “respect”.

Page 19, lines 8 through 9, strike “modified under clause (iii)(II)” and insert “updated under subclause (II) or (III) of clause (iii)”.

Page 19, line 22, strike “subsection (n)(9)” and insert “subsection (n)”.

Page 20, line 8, insert “RELEVANT” before “ELIGIBLE”.

Page 20, line 10, strike “Eligible” and insert “Relevant eligible”.

Page 20, line 12, insert “and national” after “State”.

Page 21, line 14, insert “quality” before “update”.

Page 21, line 21, strike “quality” and insert “core”.

Page 23, line 2, insert “and national” after “State”.

Page 23, line 20, strike “QUALITY” and insert “CORE”.

Page 23, line 24, insert “quality” before “update”.

Page 24, line 9, strike “quality” and insert “core”.

Page 25, line 3, strike “quality” and insert “core”.

Page 26, lines 3 through 4, strike “, such as under subsections (k) and (m)” and insert “under this subsection”.

Page 28, line 2, strike “each”.

Page 27, strike line 16 and all that follows through page 28, line 7, and insert the following:

1           “(4) TRANSITION FOR NEW ELIGIBLE PROFES-  
2           SIONALS.—In the case of a physician, practitioner,  
3           or other supplier that during a performance period,  
4           with respect to a year for which a quality adjust-  
5           ment is applied under paragraph (3), first becomes

1 an eligible professional (and had not previously sub-  
2 mitted claims under this title as a person, as an en-  
3 tity, or as part of a physician group or under a dif-  
4 ferent billing number or tax identifier), the quality  
5 adjustment under this subsection applicable to such  
6 physician, practitioner, or supplier—

7 “(A) for such year, with respect to such  
8 first performance period, shall be zero; and

9 “(B) for a year, with respect to a subse-  
10 quent performance period, shall be the quality  
11 adjustment that would otherwise be applied  
12 under this subsection.”.

Page 28, line 18, strike “quality” and insert “core”.

Page 28, line 24, insert “quality” before “update”.

Page 29, line 18, insert “quality” after “Under  
the”.

Page 30, line 17, strike “UIP” and insert “QUALITY  
UPDATE INCENTIVE PROGRAM”.

Page 31, lines 12 through 13, strike “quality” and  
insert “core”.

Page 32, line 7, insert “QUALITY” before “UPDATE”.

Page 32, line 11, insert “QUALITY” before “UP-  
DATE”.



Page 32, line 14, insert “quality” before “update”.

Page 33, line 11, insert “QUALITY” before “UPDATE”.

Page 33, line 19, insert “QUALITY” before “UPDATE”.

Page 33, line 25, insert “QUALITY” before “UPDATE”.

Page 40, line 6, strike the semicolon and insert a period.

Page 56, line 11, strike “subsection” and insert “section”.

Page 56, line 16, strike “, ‘physician’,”.

Page 56, line 18, strike “, (r),”.

Page 57, line 3, insert “for non-public use” after “data”.

Page 57, line 5, strike “providers of services and suppliers” and insert “qualified entities who may share with providers of services and suppliers who are registered or authorized users or subscribers”.

Page 57, line 7, strike “alternative payment models” and insert “Alternative Payment Models under section 1848A of the Social Security Act”.

Page 59, line 24, insert “(42 U.S.C. 1395w-4(k)(3))” after “Act”.

Page 60, line 2, insert “of the Social Security Act (42 U.S.C. 1395w-4)” after “section 1848”.

Page 60, line 3, strike “Social Security Act” and insert “such Act”.

Page 60, line 11, insert “(42 U.S.C. 1395w-4(k)(3)))” after “Act”.

Page 61, line 6, insert “(42 U.S.C. 1395w-4(k))” after “Act”.

Page 61, line 7, insert “quality” before “update”.

Page 61, line 12, insert “quality” before “update”.

Page 61, line 17, strike “opt-out”.

Page 62, line 3, insert “(42 U.S.C. 1395w-4(k)(9))” after “Act”.

Page 62, line 3, insert “quality” before “update”.

Page 62, line 12, insert “(42 U.S.C. 1395w-4)” after “Act”.

Page 62, line 20, insert “QUALITY” before “UPDATE”.

Page 62, line 23, strike “each”.

Page 62, line 24, insert “quality” after “of the”.

Page 63, line 2, insert “(42 U.S.C. 1395w-4)” after “Act”.

Page 63, line 5, insert “quality” before “update”.

Page 63, line 11, insert “quality” before “update”.

Page 63, line 13, insert “quality” before “update”.

Page 67, line 19, insert “, based on the data reported under paragraph (8) and other relevant data,” after “identify”.

Page 68, line 14, strike “CONSTRUCTION” and insert “RULE OF CONSTRUCTION”.

Page 68, line 23, strike “Act” and insert “subsection”.

Page 69, line 20, strike “providers’s prescription” and insert “providers’ prescription”.

