

**Explanation of Changes Reflected in the Chairman’s
Amendment in the Nature of a Substitute to
H.R. 4618, the “Medicare Hearing Act of 2019”
October 22, 2019**

The Chairman’s amendment in the nature of a substitute includes the following changes to H.R. 4618 as introduced (page and line references are to H.R. 4618 as introduced):

1. Page 2, Line 8: Strike “assessment”; insert “assessment services”.
2. Page 2, Line 13: Strike “aids” ”; insert “aids furnished on or after January 1, 2022, to individuals diagnosed with profound or severe hearing loss”.”.
3. Page 2, Line 21: Strike “aids—”; insert: “aids furnished on or after January 1, 2022—”.
4. Page 2, Lines 24-26: Strike “only if such individual has been diagnosed with profound or severe hearing loss in one or both ears.”
5. Page 3, Line 1: Strike “(C)”.
6. Page 3, Line 6: Strike “(D)””; insert “(C)”.
7. Page 3, Line 7: Strike “doctor”; insert “physician”.
8. Page 3, Line 8: Strike “1861(ll)(5).””; insert “1861(ll)(4)(B)).”.”.
9. Page 4, Line 18: Insert “(4) INCLUSION OF AUDIOLOGISTS AS CERTAIN PRACTITIONERS TO RECEIVE PAYMENT ON AN ASSIGNMENT-RELATED BASIS.—Section 1842(b)(18)(C) of the Social Security Act (42 U.S.C. 1395u(b)(18)(C)) is amended by adding at the end the following new clause:

“(vii) With respect to 2022 and each subsequent year, a qualified audiologist (as defined in section 1861(ll)(3)(B)).”.”.
10. Page 4, Lines 20-25: Strike “amended— (1) by striking “hearing” and “therefor, or”; and (2) by inserting “, or, with respect to items and services furnished before January 1, 2022, hearing” and “before the semicolon.”; insert “amended by inserting “(except such hearing” and “as described in and otherwise allowed under section 1861(s)(8))” after “hearing”.
11. Page 5, Line 9: Insert “Sec. 4. Report.

(a) Report.—Not later than the date that is 2 years after the date of the enactment of the Medicare Hearing Act of 2019, the Inspector General of the Department of Health and Human Services shall—

(1) determine the feasibility of qualified audiologists (as defined in paragraph (4)(B) of 1861(ll) of the Social Security Act (42 U.S.C. 1395x(ll))) furnishing

audiology services (as defined in paragraph (3) of such section) to individuals entitled to benefits under part A of title XVIII of such Act (42 U.S.C. 1395c et seq.) and enrolled for benefits under part B of such title (42 U.S.C.1395j et seq.) without such individuals being referred by a physician (as defined in section 1861(r) of such Act (42 U.S.C. 1395x(r))) or practitioner (as described in section 1842(b)(18)(C) of such Act (42 U.S.C. 1395u(b)(18)(C))) to qualified audiologists; and

(2) submit to the Secretary of Health and Human Services a report on the feasibility of the referral described in paragraph (1) and any program integrity or overutilization concerns with respect to such referral.

(b) Regulations.—The Secretary of Health and Human Services may promulgate regulations to allow audiologists to furnish audiology services without a referral from a physician or practitioner, consistent with the findings submitted to the Secretary pursuant to subsection (a)(2).”.