



1 (b) DENTAL AND ORAL HEALTH SERVICES DE-  
2 FINED.—Section 1861 of the Social Security Act (42  
3 U.S.C. 1395x) is amended by adding at the end the fol-  
4 lowing new subsection:

5 “(III) DENTAL AND ORAL HEALTH SERVICES.—

6 “(1) IN GENERAL.—The term ‘dental and oral  
7 health services’ means items and services (other  
8 than such items and services for which payment may  
9 be made under part A as inpatient hospital services)  
10 that are furnished during 2028 or a subsequent  
11 year, for which coverage was not provided under  
12 part B as of the date of the enactment of this sub-  
13 section, and that are—

14 “(A) the preventive and screening services  
15 described in paragraph (2) furnished by a doc-  
16 tor of dental surgery or of dental medicine (as  
17 described in subsection (r)(2)) or an oral health  
18 professional (as defined in paragraph (4)); or

19 “(B) the basic treatments specified for  
20 such year by the Secretary pursuant to para-  
21 graph (3)(A) and the major treatments speci-  
22 fied for such year by the Secretary pursuant to  
23 paragraph (3)(B) furnished by such a doctor or  
24 such a professional.

1           “(2) PREVENTIVE AND SCREENING SERV-  
2           ICES.—The preventive and screening services de-  
3           scribed in this paragraph are the following:

4                   “(A) Oral exams.

5                   “(B) Dental cleanings.

6                   “(C) Dental x-rays performed in the office  
7           of a doctor or professional described in para-  
8           graph (1)(A).

9                   “(D) Fluoride treatments.

10           “(3) BASIC AND MAJOR TREATMENTS.—For  
11           2028 and each subsequent year, the Secretary shall  
12           specify—

13                   “(A) basic treatments (which may include  
14           basic tooth restorations, basic periodontal serv-  
15           ices, tooth extractions, and oral disease man-  
16           agement services); and

17                   “(B) major treatments (which may include  
18           major tooth restorations, major periodontal  
19           services, bridges, crowns, and root canals);  
20           that shall be included as dental and oral health serv-  
21           ices for such year.

22           “(4) ORAL HEALTH PROFESSIONAL.—The term  
23           ‘oral health professional’ means, with respect to den-  
24           tal and oral health services, a health professional  
25           (other than a doctor of dental surgery or of dental

1 medicine (as described in subsection (r)(2))) who is  
2 licensed to furnish such services, acting within the  
3 scope of such license, by the State in which such  
4 services are furnished.”.

5 (c) PAYMENT; COINSURANCE; AND LIMITATIONS.—

6 (1) IN GENERAL.—Section 1833(a)(1) of the  
7 Social Security Act (42 U.S.C. 1395l(a)(1)) is  
8 amended—

9 (A) in subparagraph (N), by inserting  
10 “and dental and oral health services (as defined  
11 in section 1861(III))” after “section  
12 1861(hhh)(1)”;

13 (B) by striking “and” before “(DD)”;

14 (C) by inserting before the semicolon at  
15 the end the following: “and (EE) with respect  
16 to dental and oral health services (as defined in  
17 section 1861(III)), the amount paid shall be the  
18 payment amount specified under section  
19 1834(z)”.

20 (2) PAYMENT AND LIMITS SPECIFIED.—Section  
21 1834 of the Social Security Act (42 U.S.C. 1395m)  
22 is amended by adding at the end the following new  
23 subsection:

24 “(z) PAYMENT AND LIMITS FOR DENTAL AND ORAL  
25 HEALTH SERVICES.—

1           “(1) IN GENERAL.—The payment amount  
2           under this part for dental and oral health services  
3           (as defined in section 1861(l)) shall be, subject to  
4           paragraph (3), the applicable percent (specified in  
5           paragraph (2)) of the lesser of—

6                   “(A) the actual charge for the service; or

7                   “(B) the amount determined under the  
8           payment basis determined under section 1848  
9           for the service, or, in lieu of such amount, if de-  
10          termined appropriate by the Secretary, an  
11          amount specified by the Secretary for such  
12          service under a fee schedule determined appro-  
13          priate by the Secretary, taking into account fee  
14          schedules for such services—

15                   “(i) under the TRICARE program  
16                  under chapter 55 of title 10 of the United  
17                  States Code;

18                   “(ii) under the health insurance pro-  
19                  gram under chapter 89 of title 5 of such  
20                  Code;

21                   “(iii) under State plans (or waivers of  
22                  such plans) under title XIX;

23                   “(iv) under Medicare Advantage plans  
24                  under part C;

1 “(v) established by the Secretary of  
2 Veterans Affairs; and

3 “(vi) established by other health care  
4 payers.

5 “(2) APPLICABLE PERCENT.—For purposes of  
6 paragraph (1), the applicable percent specified in  
7 this paragraph is, with respect to dental and oral  
8 health services (as defined in section 1861(III)) fur-  
9 nished in a year—

10 “(A) that are preventive and screening  
11 services described in paragraph (2) or basic  
12 treatments specified for such year pursuant to  
13 paragraph (3)(A) of such section, 80 percent;  
14 and

15 “(B) that are major treatments specified  
16 for such year pursuant to paragraph (3)(B) of  
17 such section—

18 “(i) in the case such services are fur-  
19 nished during 2028, 10 percent;

20 “(ii) in the case such services are fur-  
21 nished during 2029 or a subsequent year  
22 before 2032, the applicable percent speci-  
23 fied under this subparagraph for the pre-  
24 vious year, increased by 10 percentage  
25 points; and

1 “(iii) in the case such services are fur-  
2 nished during 2032 or a subsequent year,  
3 50 percent.

4 “(3) LIMITATIONS.—With respect to dental and  
5 oral health services that are—

6 “(A) preventive and screening oral exams,  
7 payment may be made under this part for not  
8 more than two such exams during a 12-month  
9 period;

10 “(B) dental cleanings, payment may be  
11 made under this part for not more than two  
12 such cleanings during a 12-month period; and

13 “(C) not described in subparagraph (A) or  
14 (B), payment may be made under this part only  
15 at such frequencies and under such cir-  
16 cumstances determined appropriate by the Sec-  
17 retary.

18 “(4) USE OF BUNDLED PAYMENTS.—The Sec-  
19 retary may make payment for dentures and associ-  
20 ated professional services, and for any other dental  
21 and oral health services, as bundled payments as the  
22 Secretary determines appropriate.

23 “(5) LIMITATION ON JUDICIAL REVIEW.—There  
24 shall be no administrative or judicial review under  
25 section 1869 or otherwise of—





1 dental surgery or of dental medicine  
2 (as described in section 1861(r)(2)) or  
3 is an oral health professional (as de-  
4 fined in section 1861(lll)(4)).”.

5 (3) INCLUSION OF ORAL HEALTH PROFES-  
6 SIONALS AS CERTAIN PRACTITIONERS.—Section  
7 1842(b)(18)(C) of the Social Security Act (42  
8 U.S.C. 1395u(b)(18)(C)) is amended by adding at  
9 the end the following new clause:

10 “(vii) With respect to 2028 and each subse-  
11 quent year, an oral health professional (as defined in  
12 section 1861(lll)(4)).”.

13 (e) DENTURES.—

14 (1) IN GENERAL.—Section 1861(s)(8) of the  
15 Social Security Act (42 U.S.C. 1395x(s)(8)) is  
16 amended—

17 (A) by striking “(other than dental)”; and

18 (B) by inserting “and excluding dental, ex-  
19 cept for a full or partial set of dentures (as de-  
20 scribed in section 1834(h)(6)) furnished on or  
21 after January 1, 2028” after “colostomy care”.

22 (2) SPECIAL PAYMENT RULES.—

23 (A) LIMITATIONS.—Section 1834(h) of the  
24 Social Security Act (42 U.S.C. 1395m(h)) is

1 amended by adding at the end the following  
2 new paragraph:

3 “(6) SPECIAL PAYMENT RULE FOR DEN-  
4 TURES.—Payment may be made under this part  
5 with respect to an individual for dentures—

6 “(A) not more than once during any 5-year  
7 period (except in the case that a doctor de-  
8 scribed in section 1861(III)(1)(A) determines  
9 such dentures do not fit the individual); and

10 “(B) only to the extent that such dentures  
11 are furnished pursuant to a written order of  
12 such a doctor or professional.”.

13 (B) APPLICATION OF COMPETITIVE ACQUI-  
14 SITION.—

15 (i) IN GENERAL.—Section  
16 1834(h)(1)(H) of the Social Security Act  
17 (42 U.S.C. 1395m(h)(1)(H)) is amended—

18 (I) in the subparagraph heading,  
19 by inserting “, DENTURES” after  
20 “ORTHOTICS”;

21 (II) by inserting “, of dentures  
22 described in paragraph (2)(D) of such  
23 section,” after “2011,”; and

24 (III) in clause (i), by inserting “,  
25 such dentures” after “orthotics”.

1 (ii) CONFORMING AMENDMENT.—Sec-  
2 tion 1847(a)(2) of the Social Security Act  
3 (42 U.S.C. 1395w-3(a)(2)) is amended by  
4 adding at the end the following new sub-  
5 paragraph:

6 “(D) DENTURES.—Dentures described in  
7 section 1861(s)(8) for which payment would  
8 otherwise be made under section 1834(h).”.

9 (iii) EXEMPTION OF CERTAIN ITEMS  
10 FROM COMPETITIVE ACQUISITION.—Sec-  
11 tion 1847(a)(7) of the Social Security Act  
12 (42 U.S.C. 1395w-3(a)(7)) is amended by  
13 adding at the end the following new sub-  
14 paragraph:

15 “(C) CERTAIN DENTURES.—Those items  
16 and services described in paragraph (2)(D) if  
17 furnished by a physician or other practitioner  
18 (as defined by the Secretary) to the physician’s  
19 or practitioner’s own patients as part of the  
20 physician’s or practitioner’s professional serv-  
21 ice.”.

22 (f) EXCLUSION MODIFICATIONS.—Section 1862(a) of  
23 the Social Security Act (42 U.S.C. 1395y(a)) is amend-  
24 ed—

25 (1) in paragraph (1)—

1 (A) in subparagraph (O), by striking  
2 “and” at the end;

3 (B) in subparagraph (P), by striking the  
4 semicolon at the end and inserting “, and”; and

5 (C) by adding at the end the following new  
6 subparagraph:

7 “(Q) in the case of dental and oral health serv-  
8 ices (as defined in section 1861(III)) that are preven-  
9 tive and screening services described in paragraph  
10 (2) of such section, which are furnished more fre-  
11 quently than provided under section 1834(z)(3) or  
12 under circumstances other than circumstances deter-  
13 mined appropriate under subparagraph (C) of such  
14 section;”; and

15 (2) in paragraph (12), by inserting before the  
16 semicolon at the end the following: “and except that  
17 payment may be made under part B for dental and  
18 oral health services that are covered under section  
19 1861(s)(2)(II) and for dentures under section  
20 1861(s)(8)”.

21 (g) CERTAIN NON-APPLICATION.—

22 (1) IN GENERAL.—Paragraphs (1) and (4) of  
23 section 1839(a) of the Social Security Act (42  
24 U.S.C. 1395r(a)) are amended by adding at the end  
25 of each such paragraphs the following: “In applying

1       this paragraph there shall not be taken into account  
2       benefits and administrative costs attributable to the  
3       amendments made by section 134401 (other than  
4       subsection (g)) of An Act to provide for reconcili-  
5       ation pursuant to title II of S. Con. Res. 14 and the  
6       Government contribution under section 1844(a)(5)”.

7               (2) PAYMENT.—Section 1844(a) of such Act  
8       (42 U.S.C. 1395w(a)) is amended—

9                       (A) in paragraph (4), by striking the pe-  
10       riod at the end and inserting “; plus”;

11                      (B) by adding at the end the following new  
12       paragraph:

13                      “(5) a Government contribution equal to the  
14       amount that is estimated to be payable for benefits  
15       and related administrative costs incurred that are  
16       attributable to the amendments made by section  
17       134401 (other than subsection (g)) of the An Act to  
18       provide for reconciliation pursuant to title II of S.  
19       Con. Res. 14.”; and

20                      (C) in the flush matter at the end, by  
21       striking “paragraph (4)” and inserting “para-  
22       graphs (4) and (5)”.

23       (h) IMPLEMENTATION.—

24               (1) FUNDING.—

1 (A) IN GENERAL.—In addition to amounts  
2 otherwise available, the Secretary of Health and  
3 Human Services (in this subsection referred to  
4 as the “Secretary”) shall provide for the trans-  
5 fer from the Federal Supplementary Medical  
6 Insurance Trust Fund under section 1841 of  
7 the Social Security Act (42 U.S.C. 1395t) to  
8 the Centers for Medicare & Medicaid Services  
9 Program Management Account of—

10 (i) \$20,000,000 for each of fiscal  
11 years 2022 through 2028 for purposes of  
12 implementing the amendments made by  
13 this section; and

14 (ii) such sums as determined appro-  
15 priate by the Secretary for each subse-  
16 quent fiscal year for purposes of admin-  
17 istering the provisions of such amend-  
18 ments.

19 (B) AVAILABILITY AND ADDITIONAL USE  
20 OF FUNDS.—Funds transferred pursuant to  
21 subparagraph (A) shall remain available until  
22 expended and may be used, in addition to the  
23 purpose specified in subparagraph (A)(i), to im-  
24 plement the amendments made by sections  
25 134402 and 134403.

1           (2) ADMINISTRATION.—Notwithstanding any  
2 other provision of law, the Secretary may implement,  
3 by program instruction or otherwise, any of the pro-  
4 visions of, or amendments made by, this section.

5           (3) PAPERWORK REDUCTION ACT.—Chapter 35  
6 of title 44, United States Code, shall not apply to  
7 the provisions of, or the amendments made by, this  
8 section.

9 **SEC. 134402. PROVIDING COVERAGE FOR HEARING CARE**  
10 **UNDER THE MEDICARE PROGRAM.**

11       (a) PROVISION OF AURAL REHABILITATION AND  
12 TREATMENT SERVICES BY QUALIFIED AUDIOLOGISTS.—  
13 Section 1861(l)(3) of the Social Security Act (42 U.S.C.  
14 1395x(l)(3)) is amended by inserting “(and, beginning  
15 October 1, 2023, such aural rehabilitation and treatment  
16 services)” after “assessment services”.

17       (b) COVERAGE OF HEARING AIDS.—

18           (1) INCLUSION OF HEARING AIDS AS PROS-  
19 THETIC DEVICES.—Section 1861(s)(8) of the Social  
20 Security Act (42 U.S.C. 1395x(s)(8)) is amended by  
21 inserting “, and including hearing aids (as described  
22 in section 1834(h)(7)) furnished on or after October  
23 1, 2023, to individuals diagnosed with profound or  
24 severe hearing loss” before the semicolon at the end.

1           (2) PAYMENT LIMITATIONS FOR HEARING  
2 AIDS.—Section 1834(h) of the Social Security Act  
3 (42 U.S.C. 1395m(h)), as amended by section  
4 134401(e)(2)(A), is further amended by adding at  
5 the end the following new paragraph:

6           “(7) LIMITATIONS FOR HEARING AIDS.—

7           “(A) IN GENERAL.—Payment may be  
8 made under this part with respect to an indi-  
9 vidual, with respect to hearing aids furnished  
10 on or after October 1, 2023—

11           “(i) not more than once during a 5-  
12 year period;

13           “(ii) only for types of such hearing  
14 aids that are not over-the-counter hearing  
15 aids (as defined in section 520(q)(1) of the  
16 Federal Food, Drug, and Cosmetic Act)  
17 and that are determined appropriate by  
18 the Secretary; and

19           “(iii) only if furnished pursuant to a  
20 written order of a physician or qualified  
21 audiologist (as defined in section  
22 1861(ll)(4)(B)).

23           “(B) LIMITATION ON JUDICIAL REVIEW.—

24           There shall be no administrative or judicial re-  
25 view under section 1869 or otherwise of—



1 “(i) the determination of the types of  
2 hearing aids paid for under subparagraph  
3 (A)(ii); or

4 “(ii) the determination of fee schedule  
5 rates for hearing aids described in this  
6 paragraph.”.

7 (3) APPLICATION OF COMPETITIVE ACQUISI-  
8 TION.—

9 (A) IN GENERAL.—Section 1834(h)(1)(H)  
10 of the Social Security Act (42 U.S.C.  
11 1395m(h)(1)(H)), as amended by section  
12 134401(e)(2)(B)(i), is further amended—

13 (i) in the header, by inserting “,  
14 HEARING AIDS” after “DENTURES”;

15 (ii) by inserting “, of hearing aids de-  
16 scribed in paragraph (2)(E) of such sec-  
17 tion,” after “paragraph (2)(D) of such sec-  
18 tion”; and

19 (iii) in clause (i), by inserting “, such  
20 hearing aids” after “such dentures”.

21 (B) CONFORMING AMENDMENT.—

22 (i) IN GENERAL.—Section 1847(a)(2)  
23 of the Social Security Act (42 U.S.C.  
24 1395w-3(a)(2)), as amended by section  
25 134401(e)(2)(B)(ii), is further amended by

1 adding at the end the following new sub-  
2 paragraph:

3 “(E) HEARING AIDS.—Hearing aids de-  
4 scribed in section 1861(s)(8) for which payment  
5 would otherwise be made under section  
6 1834(h).”.

7 (ii) EXEMPTION OF CERTAIN ITEMS  
8 FROM COMPETITIVE ACQUISITION.—Sec-  
9 tion 1847(a)(7) of the Social Security Act  
10 (42 U.S.C. 1395w-3(a)(7)), as amended  
11 by section 134401(e)(2)(B)(iii), is further  
12 amended by adding at the end the fol-  
13 lowing new subparagraph:

14 “(D) CERTAIN HEARING AIDS.—Those  
15 items and services described in paragraph  
16 (2)(E) if furnished by a physician or other  
17 practitioner (as defined by the Secretary) to the  
18 physician’s or practitioner’s own patients as  
19 part of the physician’s or practitioner’s profes-  
20 sional service.”.

21 (4) INCLUSION OF AUDIOLOGISTS AS CERTAIN  
22 PRACTITIONERS TO RECEIVE PAYMENT ON AN AS-  
23 SIGNMENT-RELATED BASIS.—Section  
24 1842(b)(18)(C) of the Social Security Act (42  
25 U.S.C. 1395u(b)(18)(C)), as amended by section

1 134401(d)(4), is further amended by adding at the  
2 end the following new clause:

3 “(viii) Beginning October 1, 2023, a  
4 qualified audiologist (as defined in section  
5 1861(l)(4)(B)).”.

6 (c) EXCLUSION MODIFICATION.—Section 1862(a)(7)  
7 of the Social Security Act (42 U.S.C. 1395y(a)(7)) is  
8 amended by inserting “(except such hearing aids or exami-  
9 nations therefor as described in and otherwise allowed  
10 under section 1861(s)(8))” after “hearing aids or exami-  
11 nations therefor”.

12 (d) CERTAIN NON-APPLICATION.—

13 (1) IN GENERAL.—The last sentence of section  
14 1839(a)(1) of the Social Security Act (42 U.S.C.  
15 1395r(a)(1)), as added by section 134401(g)(1), is  
16 amended by striking “section 134401 (other than  
17 subsection (g))” and inserting “sections 134401  
18 (other than subsection (g)), 134402 (other than sub-  
19 section (d))”.

20 (2) PAYMENT.—Paragraph (4) of section  
21 1844(a) of such Act (42 U.S.C. 1395w(a)), as added  
22 by section 134401(g)(2), is amended by striking  
23 “section 134401 (other than subsection (g))” and  
24 inserting “sections 134401 (other than subsection  
25 (g)), 134402 (other than subsection (d))”.

1 (e) IMPLEMENTATION.—

2 (1) FUNDING.—

3 (A) IN GENERAL.—In addition to amounts  
4 otherwise available, the Secretary of Health and  
5 Human Services (in this subsection referred to  
6 as the “Secretary”) shall provide for the trans-  
7 fer from the Federal Supplementary Medical  
8 Insurance Trust Fund under section 1841 of  
9 the Social Security Act (42 U.S.C. 1395t) to  
10 the Centers for Medicare & Medicaid Services  
11 Program Management Account of—

12 (i) \$20,000,000 for each of fiscal  
13 years 2022 through 2023 for purposes of  
14 implementing the amendments made by  
15 this section; and

16 (ii) such sums as determined appro-  
17 priate by the Secretary for each subse-  
18 quent fiscal year for purposes of admin-  
19 istering the provisions of such amend-  
20 ments.

21 (B) AVAILABILITY AND ADDITIONAL USE  
22 OF FUNDS.—Funds transferred pursuant to  
23 subparagraph (A) shall remain available until  
24 expended and may be used, in addition to the  
25 purpose specified in subparagraph (A)(i), to im-

1           plement the amendments made by sections  
2           134401 and 134403.

3           (2) ADMINISTRATION.—Notwithstanding any  
4           other provision of law, the Secretary may implement,  
5           by program instruction or otherwise, any of the pro-  
6           visions of, or amendments made by, this section.

7           (3) PAPERWORK REDUCTION ACT.—Chapter 35  
8           of title 44, United States Code, shall not apply to  
9           the provisions of, or the amendments made by, this  
10          section.

11 **SEC. 134403. PROVIDING COVERAGE FOR VISION CARE**  
12 **UNDER THE MEDICARE PROGRAM.**

13          (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
14          curity Act (42 U.S.C. 1395x(s)(2)), as amended by section  
15          134401(a), is further amended—

16               (1) in subparagraph (HH), by striking “and”  
17               after the semicolon at the end;

18               (2) in subparagraph (II), by striking the period  
19               at the end and adding “; and”; and

20               (3) by adding at the end the following new sub-  
21               paragraph:

22               “(JJ) vision services (as defined in subsection  
23               (mmm));”.

24          (b) VISION SERVICES DEFINED.—Section 1861 of  
25          the Social Security Act (42 U.S.C. 1395x), as amended

1 by section 134401(b), is further amended by adding at  
2 the end the following new subsection:

3 “(mmm) VISION SERVICES.—The term ‘vision serv-  
4 ices’ means—

5 “(1) routine eye examinations to determine the  
6 refractive state of the eyes, including procedures per-  
7 formed during the course of such examination; and

8 “(2) contact lens fitting services;

9 furnished on or after October 1, 2022, by or under the  
10 direct supervision of an ophthalmologist or optometrist  
11 who is legally authorized to furnish such examinations,  
12 procedures, or fitting services (as applicable) under State  
13 law (or the State regulatory mechanism provided by State  
14 law) of the State in which the examinations, procedures,  
15 or fitting services are furnished.”.

16 (c) PAYMENT LIMITATIONS.—Section 1834 of the  
17 Social Security Act (42 U.S.C. 1395m), as amended by  
18 section 134401(c)(2), is further amended by adding at the  
19 end the following new subsection:

20 “(aa) LIMITATION FOR VISION SERVICES.—With re-  
21 spect to vision services (as defined in section 1861(mmm))  
22 and an individual, payment may be made under this part  
23 for only 1 routine eye examination described in paragraph  
24 (1) of such section and 1 contact lens fitting service de-

1 scribed in paragraph (2) of such section during a 2-year  
2 period.”.

3 (d) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—  
4 Section 1848(j)(3) of the Social Security Act (42 U.S.C.  
5 1395w-4(j)(3)), as amended by section 134401(d)(1), is  
6 further amended by inserting “(2)(JJ),” before “(3)”.

7 (e) COVERAGE OF CONVENTIONAL EYEGLASSES AND  
8 CONTACT LENSES.—

9 (1) IN GENERAL.—Section 1861(s)(8) of the  
10 Social Security Act (42 U.S.C. 1395x(s)(8)), as  
11 amended by section 134402(b)(1), is further amend-  
12 ed by striking “, and including one pair of conven-  
13 tional eyeglasses or contact lenses furnished subse-  
14 quent to each cataract surgery with insertion of an  
15 intraocular lens” and inserting “, including one pair  
16 of conventional eyeglasses or contact lenses fur-  
17 nished subsequent to each cataract surgery with in-  
18 sersion of an intraocular lens, if furnished before Oc-  
19 tober 1, 2022, and including conventional eyeglasses  
20 or contact lenses (as described in section  
21 1834(h)(8)), whether or not furnished subsequent to  
22 such a surgery, if furnished on or after October 1,  
23 2022”.

24 (2) CONFORMING AMENDMENT.—Section  
25 1842(b)(11)(A) of the Social Security Act (42

1 U.S.C. 1395u(b)(11)(A)) is amended by inserting  
2 “furnished prior to October 1, 2022,” after “relating  
3 to them,”.

4 (f) SPECIAL PAYMENT RULES FOR EYEGLASSES AND  
5 CONTACT LENSES.—

6 (1) LIMITATIONS.—Section 1834(h) of the So-  
7 cial Security Act (42 U.S.C. 1395m(h)), as amended  
8 by section 134401(e)(2)(A) and section  
9 134402(b)(2), is further amended by adding at the  
10 end the following new paragraph:

11 “(8) PAYMENT LIMITATIONS FOR EYEGLASSES  
12 AND CONTACT LENSES.—

13 “(A) IN GENERAL.—With respect to eye-  
14 glasses and contact lenses furnished to an indi-  
15 vidual on or after October 1, 2022, subject to  
16 subparagraph (B), payment may be made under  
17 this part only—

18 “(i) during a 2-year period, for either  
19 1 pair of eyeglasses (including lenses and  
20 frames) or not more than a 2-year supply  
21 of contact lenses;

22 “(ii) with respect to amounts attrib-  
23 utable to the lenses and frames of such a  
24 pair of eyeglasses or amounts attributable



1 to such a 2-year supply of contact lenses,  
2 in an amount not greater than—

3 “(I) for a pair of eyeglasses fur-  
4 nished in, or a 2-year supply of con-  
5 tact lenses beginning in, 2022—

6 “(aa) \$85 for the lenses of  
7 such pair of eyeglasses and \$85  
8 for the frames of such pair of  
9 eyeglasses; or

10 “(bb) \$85 for such 2-year  
11 supply of contact lenses; and

12 “(II) for the lenses and frames of  
13 a pair of eyeglasses furnished in, or a  
14 2-year supply of contact lenses begin-  
15 ning in, a subsequent year, the dollar  
16 amounts specified under this subpara-  
17 graph for the previous year, increased  
18 by the percentage change in the con-  
19 sumer price index for all urban con-  
20 sumers (United States city average)  
21 for the 12-month period ending with  
22 June of the previous year;

23 “(iii) if furnished pursuant to a writ-  
24 ten order of a physician described in sec-  
25 tion 1861(lll); and

1           “(iv) if during the 2-year period de-  
2           scribed in clause (i), the individual did not  
3           already receive (as described in subpara-  
4           graph (B)) one pair of conventional eye-  
5           glasses or contact lenses subsequent to a  
6           cataract surgery with insertion of an intra-  
7           ocular lens furnished during such period.

8           “(B) EXCEPTION.—With respect to a 2-  
9           year period described in subparagraph (A)(i), in  
10          the case of an individual who receives cataract  
11          surgery with insertion of an intraocular lens,  
12          notwithstanding subparagraph (A), payment  
13          may be made under this part for one pair of  
14          conventional eyeglasses or contact lenses fur-  
15          nished subsequent to such cataract surgery dur-  
16          ing such period.

17          “(C) LIMITATION ON JUDICIAL REVIEW.—  
18          There shall be no administrative or judicial re-  
19          view under section 1869 or otherwise of—

20                 “(i) the determination of the types of  
21                 eyeglasses and contact lenses covered  
22                 under this paragraph; or

23                 “(ii) the determination of fee schedule  
24                 rates under this subsection for eyeglasses  
25                 and contact lenses.”.

1           (2) APPLICATION OF COMPETITIVE ACQUISITION.—  
2

3           (A) IN GENERAL.—Section 1834(h)(1)(H)  
4 of the Social Security Act (42 U.S.C.  
5 1395m(h)(1)(H)), as amended by section  
6 134401(e)(2)(B)(i) and section  
7 134402(b)(3)(A), is further amended—

8           (i) in the header by inserting “, EYE-  
9 GLASSES, AND CONTACT LENSES” after  
10 “HEARING AIDS”;

11           (ii) by inserting “and of eyeglasses  
12 and contact lenses described in paragraph  
13 (2)(F) of such section,” after “paragraph  
14 (2)(E) of such section,”; and

15           (iii) in clause (i), by inserting “, or  
16 such eyeglasses and contact lenses” after  
17 “such hearing aids”.

18           (B) CONFORMING AMENDMENT.—

19           (i) IN GENERAL.—Section 1847(a)(2)  
20 of the Social Security Act (42 U.S.C.  
21 1395w–3(a)(2)), as amended by section  
22 134401(e)(2)(B)(ii) and section  
23 134402(b)(3)(B)(i), is further amended by  
24 adding at the end the following new sub-  
25 paragraph:

1           “(F) EYEGLASSES AND CONTACT  
2           LENSES.—Eyeglasses and contact lenses de-  
3           scribed in section 1861(s)(8) for which payment  
4           would otherwise be made under section  
5           1834(h).”.

6           (ii) EXEMPTION OF CERTAIN ITEMS  
7           FROM COMPETITIVE ACQUISITION.—Sec-  
8           tion 1847(a)(7) of the Social Security Act  
9           (42 U.S.C. 1395w-3(a)(7)), as amended  
10          by section 134401(e)(2)(B)(iii) and section  
11          134402(b)(3)(B)(ii), is further amended by  
12          adding at the end the following new sub-  
13          paragraph:

14          “(E) CERTAIN EYEGLASSES AND CONTACT  
15          LENSES.—Those items and services described in  
16          paragraph (2)(F) if furnished by a physician or  
17          other practitioner (as defined by the Secretary)  
18          to the physician’s or practitioner’s own patients  
19          as part of the physician’s or practitioner’s pro-  
20          fessional service.”.

21          (g) EXCLUSION MODIFICATIONS.—Section 1862(a)  
22          of the Social Security Act (42 U.S.C. 1395y(a)), as  
23          amended by section 134401(f), is further amended—

24                 (1) in paragraph (1)—

1 (A) in subparagraph (P), by striking  
2 “and” at the end;

3 (B) in subparagraph (Q), by striking the  
4 semicolon at the end and inserting “, and”; and

5 (C) by adding at the end the following new  
6 subparagraph:

7 “(R) in the case of vision services (as defined  
8 in section 1861(mmm)) that are routine eye exami-  
9 nations and contact lens fitting services (as de-  
10 scribed in paragraph (1) or (2), respectively, of such  
11 section), which are furnished more frequently than  
12 once during a 2-year period;” and

13 (2) in paragraph (7)—

14 (A) by inserting “(other than such an ex-  
15 amination that is a vision service that is cov-  
16 ered under section 1861(s)(2)(JJ))” after “eye  
17 examinations”; and

18 (B) by inserting “(other than such a proce-  
19 dure that is a vision service that is covered  
20 under section 1861(s)(2)(JJ))” after “refractive  
21 state of the eyes”.

22 (h) CERTAIN NON-APPLICATION.—

23 (1) IN GENERAL.—The last sentence of section  
24 1839(a)(1) of the Social Security Act (42 U.S.C.  
25 1395r(a)(1)), as added by section 134401(g)(1) and

1 amended by section 134402(d)(1), is further amend-  
2 ed by inserting “, and 134403 (other than sub-  
3 section (h))” after “134402 (other than subsection  
4 (d))”.

5 (2) PAYMENT.—Paragraph (4) of section  
6 1844(a) of such Act (42 U.S.C. 1395w(a)), as added  
7 by section 134401(g)(2) and amended by section  
8 134402(d)(2), is further amended by inserting “,  
9 and 134403 (other than subsection (h))” after  
10 “134402 (other than subsection (d))”.

11 (i) IMPLEMENTATION.—

12 (1) FUNDING.—

13 (A) IN GENERAL.—In addition to amounts  
14 otherwise available, the Secretary of Health and  
15 Human Services (in this subsection referred to  
16 as the “Secretary”) shall provide for the trans-  
17 fer from the Federal Supplementary Medical  
18 Insurance Trust Fund under section 1841 of  
19 the Social Security Act (42 U.S.C. 1395t) to  
20 the Centers for Medicare & Medicaid Services  
21 Program Management Account of—

22 (i) \$20,000,000 for each of fiscal  
23 years 2022 and 2023 for purposes of im-  
24 plementing the amendments made by this  
25 section; and

1                   (ii) such sums as determined appro-  
2                   priate by the Secretary for each subse-  
3                   quent fiscal year for purposes of admin-  
4                   istering the provisions of such amend-  
5                   ments.

6                   (B) AVAILABILITY AND ADDITIONAL USE  
7                   OF FUNDS.—Funds transferred pursuant to  
8                   subparagraph (A) shall remain available until  
9                   expended and may be used, in addition to the  
10                  purpose specified in subparagraph (A)(i), to im-  
11                  plement the amendments made by sections  
12                  134401 and 134402.

13               (2) ADMINISTRATION.—Notwithstanding any  
14               other provision of law, the Secretary may implement,  
15               by program instruction or otherwise, any of the pro-  
16               visions of, or amendments made by, this section.

17               (3) PAPERWORK REDUCTION ACT.—Chapter 35  
18               of title 44, United States Code, shall not apply to  
19               the provisions of, or the amendments made by, this  
20               section.

