



1           opioids and evidence-based non-opioid al-  
2           ternatives for pain management (including  
3           drugs and devices, nerve blocks, surgical  
4           injections, and neuromodulation) with a  
5           goal of ensuring that there are not finan-  
6           cial incentives to use opioids instead of  
7           non-opioid alternatives;

8                   “(ii) may, as the Secretary determines  
9                   appropriate, conduct subsequent reviews of  
10                  such payments; and

11                   “(iii) shall consider the extent to  
12                   which revisions under this subsection to  
13                   such payments (such as the creation of ad-  
14                   ditional groups of covered OPD services to  
15                   classify separately those procedures that  
16                   utilize opioids and non-opioid alternatives  
17                   for pain management) would reduce pay-  
18                   ment incentives to use opioids instead of  
19                   non-opioid alternatives for pain manage-  
20                   ment.

21                   “(B) PRIORITY.—In conducting the review  
22                   under clause (i) of subparagraph (A) and con-  
23                   sidering revisions under clause (iii) of such sub-  
24                   paragraph, the Secretary shall focus on covered  
25                   OPD services (or groups of services) assigned

1 to a comprehensive ambulatory payment classi-  
2 fication, ambulatory payment classifications  
3 that primarily include surgical services, and  
4 other services determined by the Secretary  
5 which generally involve treatment for pain man-  
6 agement.

7 “(C) REVISIONS.—If the Secretary identi-  
8 fies revisions to payments pursuant to subpara-  
9 graph (A)(iii), the Secretary shall, as deter-  
10 mined appropriate, begin making such revisions  
11 for services furnished on or after January 1,  
12 2020. Revisions under the previous sentence  
13 shall be treated as adjustments for purposes of  
14 application of paragraph (9)(B).

15 “(D) RULES OF CONSTRUCTION.—Nothing  
16 in this paragraph shall be construed to preclude  
17 the Secretary—

18 “(i) from conducting a demonstration  
19 before making the revisions described in  
20 subparagraph (C); or

21 “(ii) prior to implementation of this  
22 paragraph, from changing payments under  
23 this subsection for covered OPD services  
24 (or groups of services) which include

1                   opioids or non-opioid alternatives for pain  
2                   management.”.

3           (b) AMBULATORY SURGICAL CENTERS.—Section  
4 1833(i) of the Social Security Act (42 U.S.C. 1395l(i))  
5 is amended by adding at the end the following new para-  
6 graph:

7                   “(8) The Secretary shall apply the provisions of  
8 paragraph (22) of section 1833(t), including the sec-  
9 ond sentence of subparagraph (C) of such para-  
10 graph, to payment for services under this subsection  
11 in an appropriate manner (as determined by the  
12 Secretary).”.

