AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7856
OFFERED BY M .

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

This Act may be cited as the “Promoting Responsible and Effective Virtual Experiences through Novel Technology to Deliver Improved Access and Better Engagement with Tested and Evidence-based Strategies Act” or the “PREVENT DIABETES Act”.

SEC. 2. INCLUSION OF VIRTUAL DIABETES PREVENTION PROGRAM SUPPLIERS IN MDPP EXPANDED MODEL.

(a) In General.—Not later than January 1, 2025, the Secretary shall revise the regulations under parts 410 and 424 of title 42, Code of Federal Regulations, to provide that, for the period beginning January 1, 2025, and ending January 1, 2027—

(1) an entity may participate in the MDPP by offering only online or virtual MDPP services via synchronous or asynchronous technology or telecommunications if such entity—
(A) has full CDC DPRP recognition at the time such entity applies to enroll as a MDPP supplier, and maintains such recognition while so enrolled; and

(B) has passed screening requirements upon initial enrollment at a “high” categorical risk in accordance with section 424.518(c)(2) of title 42, Code of Federal Regulations (or any successor regulations); and

(2) if an entity participates in the MDPP in the manner described in paragraph (1)—

(A) the administrative location of such entity shall be the address of the entity on file under the Diabetes Prevention Recognition Program; and

(B) in the case of virtual or online MDPP services furnished by such entity to an MDPP beneficiary who was not located in the same State as the entity at the time such services were furnished, the entity shall not be prohibited from submitting a claim for payment for such services solely by reason of the location of such beneficiary at such time.

(b) DEFINITIONS.—In this section:
(1) CDC.—The term “CDC” means the Centers for Disease Control and Prevention.

(2) MDPP.—The term “MDPP” means the Medicare Diabetes Prevention Program conducted under section 1115A of the Social Security Act (42 U.S.C. 1315a), as described in the final rule published in the Federal Register entitled “Medicare and Medicaid Programs; CY 2024 Payment Policies Under the Physician Fee Schedule and Other Changes to Part B Payment and Coverage Policies; Medicare Shared Savings Program Requirements; Medicare Advantage; Medicare and Medicaid Provider and Supplier Enrollment Policies; and Basic Health Program” (88 Fed. Reg. 78818 (November 16, 2023)).

(3) REGULATORY TERMS.—The terms “Diabetes Prevention Recognition Program”, “full CDC DPRP recognition”, “MDPP beneficiary”, “MDPP services”, and “MDPP supplier” have the meanings given each such term in section 410.79(b) of title 42, Code of Federal Regulations.

(4) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

Amend the title so as to read: “A bill to direct the Secretary of Health and Human Services to permit certain entities to participate in the Medicare Diabetes Pre-
vention Program Expanded Model conducted by the Center for Medicare and Medicaid Innovation by offering only online or virtual diabetes prevention program services.”