Evidence-Based Coverage of Preventive Services in Medicare

**Summary:** This section would authorize the Secretary to modify the coverage of any currently covered preventive service in the Medicare program to the extent that the modification is consistent with U.S. Preventive Services Task Force recommendations and the services are not used for diagnosis or treatment.

**Additional information:**
- Center for Medicare and Medicaid Services (CMS) information on preventive services in Medicare – [http://www.cms.gov/PreventionGenInfo/](http://www.cms.gov/PreventionGenInfo/)

**Long summary:**
**Sec. 4105. Evidence-based coverage of preventive services in Medicare.**
The Secretary may modify or eliminate Medicare coverage of preventive services (including the services included in the initial preventive physical examination), based on the recommendations of the U.S. Preventive Services Task Force. Includes a rule of construction clarifying that this amendment shall not affect the coverage of diagnostic or treatment services under Medicare.

**Effective date.** Changes effective January 1, 2010.

**Legislative text:**
SEC. 4105. EVIDENCE-BASED COVERAGE OF PREVENTIVE SERVICES IN MEDICARE.
(a) AUTHORITY TO MODIFY OR ELIMINATE COVERAGE OF CERTAIN PREVENTIVE SERVICES.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:
“(n) AUTHORITY TO MODIFY OR ELIMINATE COVERAGE OF CERTAIN PREVENTIVE SERVICES.—Notwithstanding any other provision of this title, effective beginning on January 1, 2010, if the Secretary determines appropriate, the Secretary may—
“(1) modify—
“(A) the coverage of any preventive service described in subparagraph (A) of section 1861(ddd)(3) to the extent that such modification is consistent with the recommendations of the United States Preventive Services Task Force; and
“(B) the services included in the initial preventive physical examination described in subparagraph (B) of such section; and
“(2) provide that no payment shall be made under this title for a preventive service described in subparagraph (A) of such section that has not received a grade of A, B, C, or I by such Task Force.”.
(b) CONSTRUCTION.—Nothing in the amendment made by paragraph (1) shall be construed to affect the coverage of diagnostic or treatment services under title XVIII of the Social Security Act.