

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S.** \_\_\_\_\_

To amend to title XVIII of the Social Security Act to provide for a physician payment update under the Medicare program for December of 2010.

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IN THE SENATE OF THE UNITED STATES

Mr. BAUCUS (for himself and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend to title XVIII of the Social Security Act to provide for a physician payment update under the Medicare program for December of 2010.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “The Physician Pay-  
5 ment and Therapy Relief Act of 2010”.

6 **SEC. 2. PHYSICIAN PAYMENT UPDATE.**

7 Section 1848(d)(11) of the Social Security Act (42  
8 U.S.C. 1395w–4(d)(11)) is amended—

1 (1) in the heading, by striking “NOVEMBER”  
2 and inserting “DECEMBER”;

3 (2) in subparagraph (A), by striking “Novem-  
4 ber 30” and inserting “December 31”; and

5 (3) in subparagraph (B)—

6 (A) in the heading, by striking “REMAIN-  
7 ING PORTION OF 2010” and inserting “2011”;  
8 and

9 (B) by striking “the period beginning on  
10 December 1, 2010, and ending on December  
11 31, 2010, and for”.

12 **SEC. 3. TREATMENT OF MULTIPLE SERVICE PAYMENT**  
13 **POLICIES FOR THERAPY SERVICES.**

14 (a) **SMALLER PAYMENT DISCOUNT FOR CERTAIN**  
15 **MULTIPLE THERAPY SERVICES.**—Section 1848(b) of the  
16 Social Security Act (42 U.S.C. 1395w-4(b)) is amended  
17 by adding at the end the following new paragraph:

18 “(7) **ADJUSTMENT IN DISCOUNT FOR CERTAIN**  
19 **MULTIPLE THERAPY SERVICES.**—In the case of ther-  
20 apy services furnished on or after January 1, 2011,  
21 and for which payment is made under fee schedules  
22 established under this section, instead of the 25 per-  
23 cent multiple procedure payment reduction specified  
24 in the final rule published by the Secretary in the

1 Federal Register on November 29, 2010, the reduc-  
2 tion percentage shall be 20 percent.”.

3 (b) EXEMPTION OF PAYMENT REDUCTION FROM  
4 BUDGET-NEUTRALITY.—Section 1848(c)(2)(B)(v) of the  
5 Social Security Act (42 U.S.C. 1395w-4(c)(2)(B)(v)) is  
6 amended by adding at the end the following new sub-  
7 clause:

8 “(VII) REDUCED EXPENDITURES  
9 FOR MULTIPLE THERAPY SERVICES.—  
10 Effective for fee schedules established  
11 beginning with 2011, reduced expendi-  
12 tures attributable to the multiple pro-  
13 cedure payment reduction for therapy  
14 services (as described in subsection  
15 (b)(7)).”.

16 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

17 The budgetary effects of this Act, for the purpose of  
18 complying with the Statutory Pay-As-You-Go Act of 2010,  
19 shall be determined by reference to the latest statement  
20 titled “Budgetary Effects of PAYGO Legislation” for this  
21 Act, submitted for printing in the Congressional Record  
22 by the Chairman of the Senate Budget Committee, pro-  
23 vided that such statement has been submitted prior to the  
24 vote on passage.