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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R.

To amend title XVIII of the Social Security Act to delay the implementation of an efficiency adjustment to work relative value units under the Medicare physician fee schedule.

IN THE HOUSE OF REPRESENTATIVES

Mr. ESTES introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to delay the implementation of an efficiency adjustment to work relative value units under the Medicare physician fee schedule.

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 “Efficiency Adjustment
5 Delay Act”.

1 SEC. 2. DELAYING THE IMPLEMENTATION OF AN EFFI-
2 CIENCY ADJUSTMENT TO WORK RELATIVE
3 VALUE UNITS UNDER THE MEDICARE PHYSI-
4 CIAN FEE SCHEDULE.

5 (a) IN GENERAL.—Section 1848(c) of the Social Se-
6 curity Act (42 U.S.C. 1395w-4(c)) is amended by adding
7 at the end the following new paragraph:

8 “(9) DELAYED IMPLEMENTATION OF WORK
9 RVU EFFICIENCY ADJUSTMENT.—

19 “(B) REPORT TO CONGRESS.—Not later
20 than 2 years after the date of the enactment of
21 this paragraph, the Secretary shall submit to
22 the Committee on Energy and Commerce and
23 the Committee on Ways and Means of the
24 House of Representatives, and to the Com-
25 mittee on Finance of the Senate, a report con-
26 taining an assessment of whether it is necessary

1 to apply a one-time, across-the-board adjustment
2 to work relative value units, and to make
3 corresponding updates to the intraservice por-
4 tion of physician time inputs for non-time-based
5 services, with respect to services that have not
6 been revalued or reviewed within the 10-year
7 period preceding the calendar year in which
8 such one-time adjustment would be applied.
9 Such report shall include supporting evidence
10 for such assessment.

11 “(C) LIMITATIONS ON FUTURE IMPLEMEN-
12 TATION.—

13 “(i) IN GENERAL.—Subject to clause
14 (ii), in the case that the report under sub-
15 paragraph (B) supports the implementa-
16 tion of the efficiency adjustment described
17 in subparagraph (A), the Secretary may
18 implement such adjustment on or after
19 January 1, 2030, if the following condi-
20 tions are met:

21 “(I) Before implementing such
22 adjustment, the Secretary consults
23 with representatives of physician spe-
24 cialties affected by the potential im-
25 plementation of such adjustment.

1 “(II) The Secretary does not im-
2 plement such adjustment with respect
3 to services that have been revalued or
4 reviewed within the 10-year period
5 preceding the calendar year in which
6 such one-time adjustment would be
7 applied.

8 “(III) The Secretary establishes
9 a methodology for calculating such ad-
10 justment that does not rely on a fac-
11 tor that is used for determining pro-
12 ductivity relative to inflation unless
13 the update to the nonqualifying APM
14 conversion factor under section
15 1848(d) for the year in which the one-
16 time adjustment would be applied is
17 greater than or equal to the percent-
18 age increase in the consumer price
19 index for all urban consumers (all
20 items; United States city average)
21 over the previous year.

22 “(ii) MULTIPLE ADJUSTMENTS PRO-
23 HIBITED.—The Secretary may not imple-
24 ment such an efficiency adjustment more
25 than once.

1 “(D) RULE OF CONSTRUCTION.—Nothing
2 in subparagraph (A) shall be construed to pre-
3 vent the Secretary from revaluing misvalued
4 codes for specific services or assigning values to
5 new or revised codes for services.”.

6 (b) ADJUSTMENT TO CONVERSION FACTOR.—Section
7 1848(d)(20) of the Social Security Act (42 U.S.C. 1395w–
8 4(d)(20)) is amended—

9 (1) by striking “0.75 percent” and inserting
10 “1.24 percent”;

11 (2) by striking “0.25 percent” and inserting
12 “0.74 percent”;

13 (3) by striking “For 2026 and each subsequent
14 year” and inserting the following:

15 “(A) UPDATE FOR 2026.—For 2026”; and

16 (4) by adding at the end the following new sub-
17 paragraph:

18 “(B) UPDATE FOR 2027 AND SUBSEQUENT
19 YEARS.—For 2027 and each subsequent year,
20 the update to the qualifying APM conversion
21 factor established under paragraph (1)(A) is
22 0.75 percent, and the update to the nonquali-
23 fying APM conversion factor established under
24 such paragraph is 0.25 percent.”.