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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend title XVIII of the Social Security Act to require coverage of
lung cancer biomarker testing under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To amend title XVIII of the Social Security Act to require
coverage of lung cancer biomarker testing under the
Medicare program.

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 “Lung Cancer Medicare
5 Access to Precise Testing Act”.

1 **SEC. 2. REQUIRING COVERAGE OF LUNG CANCER BIO-**
2 **MARKER TESTING UNDER MEDICARE.**

3 (a) COVERAGE.—Section 1861 of the Social Security
4 Act (42 U.S.C. 1395x) is amended—

5 (1) in subsection (s)(2)—

6 (A) in subparagraph (JJ), by adding
7 “and” at the end; and

8 (B) by adding at the end the following new
9 subparagraph:

10 “(KK) lung cancer biomarker testing (as de-
11 fined in subsection (nnn));”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(nnn) LUNG CANCER BIOMARKER TESTING.—The
15 term ‘lung cancer biomarker testing’ means a test fur-
16 nished on or after January 1, 2027, to an individual diag-
17 nosed with lung cancer for the identification of 1 or more
18 specific biomarkers (such as genes, proteins, or other mol-
19 ecules) based on the analysis of such individual’s tissue,
20 blood, or bodily fluids.”.

21 (b) PAYMENT.—Section 1833(a)(1) of the Social Se-
22 curity Act (42 U.S.C. 1395y(a)(1)) is amended—

23 (1) by striking “and (HH)” and inserting
24 “(HH)”; and

25 (2) by inserting “, and (II) with respect to lung
26 cancer biomarker testing (as defined in section

1 1861(nnn)), the amount paid shall be 100 percent of
2 the reasonable charges for such testing” before the
3 semicolon at the end.