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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

# H. R. _____

To prohibit the Secretary of Health and Human Services from testing the WISeR model, and to amend title XI of the Social Security Act to prohibit the implementation of payment models testing prior authorization under traditional Medicare.

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## IN THE HOUSE OF REPRESENTATIVES

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

_____

# A BILL

To prohibit the Secretary of Health and Human Services from testing the WISeR model, and to amend title XI of the Social Security Act to prohibit the implementation of payment models testing prior authorization under traditional Medicare.

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 "Ban AI Denials in

5 Medicare Act".

1 **SEC. 2. PROHIBITING IMPLEMENTATION OF CENTER FOR**
2       **MEDICARE AND MEDICAID INNOVATION MOD-**
3       **ELS TESTING PRIOR AUTHORIZATION UNDER**
4       **TRADITIONAL MEDICARE.**

5     (a) PROHIBITING IMPLEMENTATION OF WISeR
6 MODEL.—The Secretary of Health and Human Services
7 may not implement the innovative payment and service de-
8 livery model described in the notice titled "Medicare Pro-
9 gram; Implementation of Prior Authorization for Select
10 Services for the Wasteful and Inappropriate Services Re-
11 duction (WISeR) Model" (90 Fed. Reg. 28749 (July 1,
12 2025)), or any substantially similar model.

13     (b) PROHIBITING IMPLEMENTATION OF FUTURE
14 CMI MODELS TESTING PRIOR AUTHORIZATION (INCLUD-
15 ING THROUGH THE USE OF AI) UNDER TRADITIONAL
16 MEDICARE.—Section 1115A(b)(2) of the Social Security
17 Act (42 U.S.C. 1315a(b)(2)) is amended—

18         (1) in subparagraph (A), by striking "The Sec-
19       retary shall select" and inserting "Subject to the
20       limitation under subparagraph (D), the Secretary
21       shall select"; and

22         (2) by adding at the end the following new sub-
23       paragraph:

24            "(D) LIMITATION ON MODELS TO BE
25         TESTED.—Beginning on the date of the enact-
26         ment of this subparagraph, the Secretary may

3

1     not select a model to be tested under subpara-

2     graph (A) if such model would provide for the

3     implementation of prior authorization (includ-

4     ing through the use of artificial intelligence)

5     with respect to items or services for which pay-

6     ment may be made under part A or part B of

7     title XVIII.''.