

Christopher Kent
Draft of Bill.

Coverage for Vertebral Subluxation Under Medicare

IN THE HOUSE OF REPRESENTATIVES

A BILL

H.R. _ _ _

To amend title XVIII of the Social Security Act to clarify the scope of chiropractic services for the diagnosis and treatment of vertebral subluxations that may be furnished under the Medicare Program.

SECTION 1. SHORT TITLE.

This Act may be cited as the `Chiropractic Medicare Reform Act.'

SECTION 2. CHIROPRACTIC SERVICES UNDER MEDICARE.

(a) SEPARATE TREATMENT OF CHIROPRACTORS- Section 1861(r) of the Social Security Act (42 U.S.C. 1395x(r)) is amended--

- (1) by striking `, or (5)' and all that follows and inserting a period; and
- (2) by inserting `or' before `(4)'

(b) INCLUSION OF CHIROPRACTIC SERVICES AS MEDICAL AND OTHER HEALTH SERVICES- Section 1861(s)(2) of such Act (42 U.S.C. 1395x(s)(2)) is amended--

- (1) in subparagraph (U), by striking `and' at the end;
- (2) in subparagraph (V)(iii), by inserting `and' at the end; and
- (3) by adding at the end the following new subparagraph:
` (W) chiropractic services (as defined in subsection (ww)(1));'.

(c) SERVICES DESCRIBED- Section 1861 of such Act (42 U.S.C. 1395x) is amended by adding at the end the following new sections.

SECTION 3. DEFINITIONS.

`(ww)(1)(A) The term `Chiropractic Services' means only for the purpose of subsections (s)(1) and (s)(2)(A) clinically necessary care by means of adjustment of the spine (to correct a subluxation) performed by a chiropractor legally authorized to perform such adjustment by the State or jurisdiction in which such care is provided.

The term "Chiropractor" means a person licensed to practice chiropractic in the jurisdiction where the services are provided.

The term "Adjustment" means a procedure that utilizes controlled force, leverage, direction, amplitude, and velocity, and which is directed at specific joints or anatomical regions.

The term "Vertebral Subluxation" means a complex of any or all of the following articular changes that compromise neural integrity and may influence organ system function and general health:

- ` (i) Functional.
- ` (ii) Structural.
- ` (iii) Pathological.

` (B) For purposes of subparagraph (A), care is clinically necessary when examination by a chiropractor demonstrates objective evidence of a subluxation. Such examination may include--

- ` (i) physical examination;
- ` (ii) radiological examination; and
- ` (iii) specialized diagnostic instruments used in the practice of chiropractic.

SECTION 4. COVERED SERVICES

The following shall be deemed covered services under the provisions of this Act:

(A) Diagnostic services necessary to detect and characterize vertebral subluxations including:

(1) Physical examinations

(2) Radiological procedures for imaging the spine, including x-ray, computed tomography (CT) and magnetic resonance imaging (MRI) examinations ordered or performed by a chiropractor.

(3) Specialized diagnostic instruments used in the practice of chiropractic including, by example and not limitation, surface electromyography, paraspinal skin thermometry, inclinometry, algometry, and heart rate variability (HRV).

(B) Treatment services consisting of chiropractic adjustments by manual means or by the application of instruments to correct vertebral subluxations.

(C) Covered services shall be those which are clinically necessary under Section 3 (1)(a). The use of "caps" or arbitrary limitations on the frequency or duration of services is prohibited.

(D) Vertebral subluxation shall be the sole basis for treatment services furnished under Section 4(B).

SECTION 5. EFFECTIVE DATE.

This Act shall take effect [REDACTED].