

117TH CONGRESS  
2D SESSION

# H. R. 6641

To direct the Secretary of Health and Human Services to provide for certain adjustments to Medicare payment for items of durable medical equipment that were formerly included in round 2021 of the DMEPOS competitive bidding program.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2022

Mr. MULLIN (for himself, Mr. TONKO, Mr. FITZPATRICK, Ms. SEWELL, Mr. KELLER, Mr. REED, and Mr. MRVAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Secretary of Health and Human Services to provide for certain adjustments to Medicare payment for items of durable medical equipment that were formerly included in round 2021 of the DMEPOS competitive bidding 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 “DMEPOS Relief Act  
5 of 2022” or the “DRA of 2022”.

1 **SEC. 2. ADJUSTMENTS TO MEDICARE PAYMENT FOR ITEMS**  
2 **OF DURABLE MEDICAL EQUIPMENT FOR-**  
3 **MERLY INCLUDED IN ROUND 2021 OF THE**  
4 **DMEPOS COMPETITIVE BIDDING PROGRAM.**

5 (a) IN GENERAL.—The Secretary of Health and  
6 Human Services shall implement section 414.210 of title  
7 42, Code of Federal Regulations, such that the fee sched-  
8 ule amounts determined pursuant to such section for cov-  
9 ered items furnished during the period beginning on Janu-  
10 ary 1, 2022, and ending on December 31, 2023, shall be  
11 applied as if the transition rules under paragraph (g)(9)  
12 of such section provided that for such covered items so  
13 furnished, the fee schedule amount for the area involved  
14 is equal to 90 percent of the adjusted payment amount  
15 established under such section and 10 percent of the  
16 unadjusted fee schedule amount established under such  
17 section.

18 (b) COVERED ITEM DEFINED.—For purposes of sub-  
19 section (a), the term “covered item” means any item—

20 (1) that were competed under the Round 2021  
21 DMEPOS Competitive Bidding Program;

22 (2) for which contracts were not executed for  
23 such round of bidding; and

24 (3) which did not, as of January 1, 2021, revert  
25 to the unadjusted fee schedule amount established

1 under section 414.210 of title 42, Code of Federal  
2 Regulations.

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