H. R. 4848

To extend for one year parity in the application of certain limits to mental health benefits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

Mr. PALLONE (for himself and Mr. STARK) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means and Education and Labor, 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.

A BILL

To extend for one year parity in the application of certain limits to mental health benefits, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PARITY IN APPLICATION OF CERTAIN LIMITS TO MENTAL HEALTH BENEFITS.

(a) Amendment to the Internal Revenue Code of 1986.—Section 9812(f)(3) of the Internal Revenue Code of 1986 is amended by striking “2007” and inserting “2008”. 

c) Amendment to the Public Health Service Act.—Section 2705(f) of the Public Health Service Act (42 U.S.C. 300gg–5(f)) is amended by striking “2007” and inserting “2008”.

SEC. 2. INCLUSION OF MEDICARE PROVIDERS IN FEDERAL PAYMENT LEVY AND ADMINISTRATIVE OFF-SET PROGRAM.

(a) In General.—Part E of title XVIII of the Social Security Act (42 U.S.C. 1395x et seq.) is amended by adding at the end the following new section:

“INCLUSION OF MEDICARE PROVIDER PAYMENTS IN FEDERAL PAYMENT LEVY PROGRAM

“Sec. 1898. (a) In General.—The Centers for Medicare & Medicaid Services shall take all necessary steps to participate in the Federal Payment Levy Program under section 6331(h) of the Internal Revenue Code of 1986 as soon as possible and shall ensure that—

“(1) at least 50 percent of all payments under parts A and B are processed through such program beginning within 1 year after the date of the enactment of this section;
“(2) at least 75 percent of all payments under parts A and B are processed through such program beginning within 2 years after such date; and

“(3) all payments under parts A and B are processed through such program beginning not later than September 30, 2011.

“(b) Assistance.—The Financial Management Service and the Internal Revenue Service shall provide assistance to the Centers for Medicare & Medicaid Services to ensure that all payments described in subsection (a) are included in the Federal Payment Levy Program by the deadlines specified in that subsection.”.

(b) Application of Administrative Offset Provisions to Medicare Provider Payments.—Section 3716 of title 31, United States Code, is amended—

(1) by inserting “the Department of Health and Human Services,” after “United States Postal Service,” in subsection (c)(1)(A); and

(2) by adding at the end of subsection (c)(3) the following new subparagraph:

“(D) This section shall apply to payments made after the date which is 90 days after the enactment of this subparagraph (or such earlier date as designated by the Secretary of Health and Human Services) with respect to claims or
debts, and to amounts payable, under title XVIII of the Social Security Act.”.

(c) **Effective Date.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 3. DEPOSIT OF EXCESS SAVINGS IN PAQI FUND.**

(a) **In General.**—In addition to any amounts otherwise made available to the Physician Assistance and Quality Initiative Fund under section 1848(l)(2) of the Social Security Act (42 U.S.C. 1395w–4(l)(2)), there shall be made available to such Fund—

(1) $98,000,000 for expenditures on or after October 1, 2008; and

(2) $212,000,000 for expenditures during or after 2013.

(b) **Obligation.**—The Secretary of Health and Human Services shall provide for expenditures from the Fund specified in subsection (a) in a manner designed to provide (to the maximum extent feasible) for the obligation of the entire amount specified in—

(1) subsection (a)(1) for payment with respect to physicians’ services furnished on or after October 1, 2008; and
(2) subsection (a)(2) for payment with respect to physicians’ services furnished on or after January 1, 2013.