

110TH CONGRESS  
1ST SESSION

# H. R. 4848

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

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## 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

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## A BILL

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

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. PARITY IN APPLICATION OF CERTAIN LIMITS**

4 **TO MENTAL HEALTH BENEFITS.**

5 (a) AMENDMENT TO THE INTERNAL REVENUE CODE

6 OF 1986.—Section 9812(f)(3) of the Internal Revenue

7 Code of 1986 is amended by striking “2007” and inserting

8 “2008”.

1 (b) AMENDMENT TO THE EMPLOYEE RETIREMENT  
2 INCOME SECURITY ACT OF 1974.—Section 712(f) of the  
3 Employee Retirement Income Security Act of 1974 (29  
4 U.S.C. 1185a(f)) is amended by striking “2007” and in-  
5 serting “2008”.

6 (c) AMENDMENT TO THE PUBLIC HEALTH SERVICE  
7 ACT.—Section 2705(f) of the Public Health Service Act  
8 (42 U.S.C. 300gg–5(f)) is amended by striking “2007”  
9 and inserting “2008”.

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

13 (a) IN GENERAL.—Part E of title XVIII of the Social  
14 Security Act (42 U.S.C. 1395x et seq.) is amended by add-  
15 ing at the end the following new section:

16 “INCLUSION OF MEDICARE PROVIDER PAYMENTS IN  
17 FEDERAL PAYMENT LEVY PROGRAM

18 “SEC. 1898. (a) IN GENERAL.—The Centers for  
19 Medicare & Medicaid Services shall take all necessary  
20 steps to participate in the Federal Payment Levy Program  
21 under section 6331(h) of the Internal Revenue Code of  
22 1986 as soon as possible and shall ensure that—

23 “(1) at least 50 percent of all payments under  
24 parts A and B are processed through such program  
25 beginning within 1 year after the date of the enact-  
26 ment of this section;

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

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

7           “(b) ASSISTANCE.—The Financial Management  
8 Service and the Internal Revenue Service shall provide as-  
9 sistance to the Centers for Medicare & Medicaid Services  
10 to ensure that all payments described in subsection (a)  
11 are included in the Federal Payment Levy Program by  
12 the deadlines specified in that subsection.”.

13           (b) APPLICATION OF ADMINISTRATIVE OFFSET PRO-  
14 VISIONS TO MEDICARE PROVIDER PAYMENTS.—Section  
15 3716 of title 31, United States Code, is amended—

16           (1) by inserting “the Department of Health and  
17 Human Services,” after “United States Postal Serv-  
18 ice,” in subsection (c)(1)(A); and

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

21           “(D) This section shall apply to payments  
22 made after the date which is 90 days after the  
23 enactment of this subparagraph (or such earlier  
24 date as designated by the Secretary of Health  
25 and Human Services) with respect to claims or

1 debts, and to amounts payable, under title  
2 XVIII of the Social Security Act.”.

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall take effect on the date of the enactment  
5 of this Act.

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

7 (a) IN GENERAL.—In addition to any amounts other-  
8 wise made available to the Physician Assistance and Qual-  
9 ity Initiative Fund under section 1848(l)(2) of the Social  
10 Security Act (42 U.S.C. 1395w-4(l)(2)), there shall be  
11 made available to such Fund—

12 (1) \$98,000,000 for expenditures on or after  
13 October 1, 2008; and

14 (2) \$212,000,000 for expenditures during or  
15 after 2013.

16 (b) OBLIGATION.—The Secretary of Health and  
17 Human Services shall provide for expenditures from the  
18 Fund specified in subsection (a) in a manner designed to  
19 provide (to the maximum extent feasible) for the obliga-  
20 tion of the entire amount specified in—

21 (1) subsection (a)(1) for payment with respect  
22 to physicians’ services furnished on or after October  
23 1, 2008; and

1           (2) subsection (a)(2) for payment with respect  
2           to physicians' services furnished on or after January  
3           1, 2013.

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