

H.R.265/S. 4042 - Chiropractic Medicare Coverage Modernization Act of 2021 Proposed Changes in the Law

42 U.S.C.

SUBCHAPTER XVIII—HEALTH INSURANCE FOR AGED AND DISABLED (sections 1395 to 1395III)

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42 USC 1395I: Payment of benefits

Certain Coverage Limits.

“(ee) Limitation On Payment Of Services Provided By Certain Doctors Of Chiropractic.—Notwithstanding any other provision of this part, in the case of services of a doctor of chiropractic described in section 1861(r)(5), payment may only be made under this part for such services if—

“(1) such services are furnished by a doctor of chiropractic who is verified once, by a process designed by the Secretary, as attending an educational documentation webinar, or other similar electronic product, designed by the Secretary or an updated modified version of such webinar, as designed by the Secretary; or

“(2) such services are treatment by means of manual manipulation of the spine to correct a subluxation.”.

§1395x. Definitions

For purposes of this subchapter-

(r) Physician

The term "physician", when used in connection with the performance of any function or action, means (1) a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which he performs such function or action (including a physician within the meaning of [section 1301\(a\)\(7\) of this title](#)), (2) a doctor of dental surgery or of dental medicine who is legally authorized to practice dentistry by the State in which he performs such function and who is acting within the scope of his license when he performs such functions, (3) a doctor of podiatric medicine for the purposes of subsections (k), (m), (p)(1), and (s) of this section and [sections 1395f\(a\), 1395k\(a\)\(2\)\(F\)\(ii\), and 1395n of this title](#) but only with respect to functions which he is legally authorized to perform as such by the State in which he performs them, (4) a doctor of optometry, but only for purposes of subsection (p)(1) and with respect to the provision of items or services described in subsection (s) which he is legally authorized to perform as a doctor of optometry by the State in which he performs them, or (5) ~~a chiropractor who is licensed as such by the State~~

~~(or in a State which does not license chiropractors as such, is legally authorized to perform the services of a chiropractor in the jurisdiction in which he performs such services), and who meets uniform minimum standards promulgated by the Secretary, but only for the purpose of subsections (s)(1) and (s)(2)(A) and only with respect to treatment by means of manual manipulation of the spine (to correct a subluxation) he is legally authorized to perform by the State or jurisdiction in which such treatment provided.~~

a doctor of chiropractic who is licensed as a doctor of chiropractic or a chiropractor by the State in which the function or action is performed and whose license provides legal authorization to perform such function or action in such State or in the jurisdiction in which the function or action is performed.

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Statement of Purpose

It is the purpose of this Act to expand recognition and coverage of a doctor of chiropractic as a “physician” under the Medicare program in connection with the performance of any function or action, including current service of “manual manipulation of the spine to correct a subluxation”, as is legally authorized by the State in which such doctor performs such function or action.