

ICA Endorsed H.R. 8701 the Chiropractic Act of 2022

See the Proposed Legislative Changes in H.R. 8701 Right in the Existing Law for Medicare

For ease of reading given the dozens of pages in this section of the law, only the sections with actual changes are listed. When you see "...", this indicates sections with no proposed changes have been skipped.

42 U.S.C.

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

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Sec. 1395a. Free choice by patient guaranteed

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§1395a. Free choice by patient guaranteed

(a) Basic freedom of choice

Any individual entitled to insurance benefits under this subchapter may obtain health services from any institution, agency, or person qualified to participate under this subchapter if such institution, agency, or person undertakes to provide him such services.

(b) Use of private contracts by medicare beneficiaries

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(6) Definitions

In this subsection:

(A) Medicare beneficiary

The term "medicare beneficiary" means an individual who is entitled to benefits under part A or enrolled under part B.

(B) Physician

The term "physician" has the meaning given such term by ~~paragraphs (1), (2), (3), and (4)~~ of section 1395x(r) of this title.

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Sec. 1395x. Definitions

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§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) **evaluation and management services (including examination and imaging services), and such other functions (not including the prescribing of drugs)** which he is legally authorized to perform by the State or jurisdiction in which such treatment, **service, or function (as applicable)** is provided. For the purposes of [section 1395y\(a\)\(4\) of this title](#) and subject to the limitations and conditions provided in the previous sentence, such term includes a doctor of one of the arts, specified in such previous sentence, legally authorized to practice such art in the country in which the inpatient hospital services (referred to in such [section 1395y\(a\)\(4\) of this title](#)) are furnished.

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EFFECTIVE DATE.—The amendments made by this section shall apply with respect to items and services furnished on or after the date that is 30 days after the date of the enactment of this Act.