

**AMENDMENT TO \_\_\_\_\_**  
**OFFERED BY MS. BERKLEY OF NEVADA**  
**(to text of H.R. 3962)**

At the end of part 1 of subtitle B of title I of division B, add the following new section (and conform the table of contents accordingly):

**1 SEC. 1126. PAYMENT FOR BONE DENSITY TESTS.**

2 (a) IN GENERAL.—Section 1848 of the Social Security Act (42 U.S.C. 1395w-4) is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (4)(B), by inserting “,  
6 and for 2010 and 2011, dual-energy x-ray  
7 absorptiometry services (as described in paragraph (6))” before the period at the end; and

8 (B) by adding at the end the following new  
9 paragraph:  
10

11 “(6) TREATMENT OF BONE MASS SCANS.—For  
12 dual-energy x-ray absorptiometry services (identified  
13 in 2006 by HCPCS codes 76075 and 76077 (and  
14 any succeeding codes)) furnished during 2010 and  
15 2011, instead of the payment amount that would  
16 otherwise be determined under this section for such

1 years, the payment amount shall be equal to 70 per-  
2 cent of the product of—

3 “(A) the relative value for the service (as  
4 determined in subsection (c)(2)) for 2006;

5 “(B) the conversion factor (established  
6 under subsection (d)) for 2006; and

7 “(C) the geographic adjustment factor (es-  
8 tablished under subsection (e)(2)) for the serv-  
9 ice for the fee schedule area for 2010 and 2011,  
10 respectively.”; and

11 (2) in subsection (c)(2)(B)(iv)—

12 (A) in subclause (II), by striking “and” at  
13 the end;

14 (B) in subclause (III), by striking the pe-  
15 riod at the end and inserting “; and”; and

16 (C) by adding at the end the following new  
17 subclause:

18 “(IV) subsection (b)(6) shall not  
19 be taken into account in applying  
20 clause (ii)(II) for 2010 or 2011.”.

21 (b) IMPLEMENTATION.—Notwithstanding any other  
22 provision of law, the Secretary may implement the amend-  
23 ments made by subsection (a) by program instruction or  
24 otherwise.

