

116TH CONGRESS  
2D SESSION

# H. R. 8861

To permit Centers for Disease Control and Prevention-recognized virtual diabetes prevention program suppliers to be included in the Medicare Diabetes Prevention Program Expanded Model conducted by the Center for Medicare and Medicaid Innovation under section 1115A of the Social Security Act (42 U.S.C. 1315a).

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2020

Mr. RICE of South Carolina (for himself, Ms. DEGETTE, Mr. REED, and Mr. BUTTERFIELD) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 permit Centers for Disease Control and Prevention-recognized virtual diabetes prevention program suppliers to be included in the Medicare Diabetes Prevention Program Expanded Model conducted by the Center for Medicare and Medicaid Innovation under section 1115A of the Social Security Act (42 U.S.C. 1315a).

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting Responsible  
3 and Effective Virtual Experiences through Novel Tech-  
4 nology to Deliver Improved Access and Better Engage-  
5 ment with Tested and Evidence-Based Strategies Act” or  
6 the “PREVENT DIABETES Act”.

7 **SEC. 2. INCLUSION OF VIRTUAL DIABETES PREVENTION**  
8 **PROGRAM SUPPLIERS IN MDPP EXPANDED**  
9 **MODEL.**

10 (a) IN GENERAL.—Not later than January 1, 2021,  
11 the Secretary shall revise the regulations under part 410  
12 and section 424.200–.518 of title 42, Code of Federal  
13 Regulations (or any successor regulations), to permit any  
14 diabetes prevention lifestyle change program, including  
15 any online or virtual diabetes prevention program, that  
16 has met the standards for full recognition by the CDC—

17 (1) to apply to be a MDPP supplier; and

18 (2) upon a successful application, to participate  
19 in the MDPP Expanded Model described in the final  
20 rule published in the Federal Register on November  
21 15, 2017, entitled “Medicare Program; Revisions to  
22 Payment Policies Under the Physician Fee Schedule  
23 and Other Revisions to Part B for CY 2018; Medi-  
24 care Shared Savings Program Requirements; and  
25 Medicare Diabetes Prevention Program”, in accord-  
26 ance with this section.

1 (b) VIRTUAL DIABETES PREVENTION PROGRAM SUP-  
2 PLIERS.—A virtual diabetes prevention program supplier  
3 participating in the MDPP Expanded Model shall be sub-  
4 ject to the same standards as in-person MDPP suppliers  
5 participating in such program, except—

6 (1) the administrative location of a virtual dia-  
7 betes prevention program supplier shall be the ad-  
8 dress of the supplier on file under the Diabetes Pre-  
9 vention Recognition Program of the CDC;

10 (2) a virtual diabetes prevention program sup-  
11 plier shall not be required to report a change in its  
12 administrative location except when such supplier’s  
13 address on file under the Diabetes Prevention Rec-  
14 ognition Program has changed; and

15 (3) a virtual diabetes prevention program sup-  
16 plier shall not be prohibited from submitting or re-  
17 ceiving payment for a claim for virtual diabetes pre-  
18 vention program services because the beneficiary was  
19 not present in the same State or country as such  
20 supplier or service.

21 (c) DIABETES PREVENTION PROGRAM SUPPLIER  
22 SCREENING LEVEL.—The supplier enrollment screening  
23 level applicable to a virtual diabetes prevention program  
24 supplier shall be at a “high” categorical risk in accordance

1 with section 424.518(c)(2) of title 42, Code of Federal  
2 Regulations (or any successor regulations).

3 (d) CLARIFICATION.—Notwithstanding any provision  
4 of this law, the MDPP Expanded Model, upon the inclu-  
5 sion of virtual diabetes prevention program suppliers, shall  
6 continue to be an expanded model under section 1115A  
7 of the Social Security Act (42 U.S.C. 1315a), unless the  
8 Secretary determines, based on performance data from the  
9 MDPP Expanded Model, that continued testing would be  
10 inconsistent with the requirements set forth in subsection  
11 (c) of such section 1115A.

12 (e) OTHER TESTING.—Nothing in this section shall  
13 limit the Secretary from developing and testing additional  
14 models that utilize virtual technology or deliver health care  
15 services through virtual means.

16 (f) DEFINITIONS.—In this section:

17 (1) CDC.—The term “CDC” means the Cen-  
18 ters for Disease Control and Prevention.

19 (2) MDPP.—The term “MDPP” means the  
20 Medicare Diabetes Prevention Program.

21 (3) SECRETARY.—The term “Secretary” means  
22 the Secretary of Health and Human Services.

23 (4) VIRTUAL DIABETES PREVENTION PROGRAM  
24 SUPPLIER.—The term “virtual diabetes prevention  
25 program supplier” means a supplier, that meets the

1 standards for full recognition by the CDC, of diabe-  
2 tes prevention program services that are delivered  
3 via a synchronous or asynchronous technology or  
4 telecommunications.

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