

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. _____
OFFERED BY MR. DOGGETT OF TEXAS**

Page 11, line 6, strike “such an item” and insert “the Secretary determines that such an item has an aberrant billing pattern (as such term is used for purposes of subparagraph (A)) and such item”.

Page 11, line 9, strike “may” and insert “shall”.

Page 11, after line 10, insert the following (and redesignate accordingly):

1 (b) CLINICAL DIAGNOSTIC LABORATORY TESTS.—
2 Section 1834A of the Social Security Act (42 U.S.C.
3 1395m–1) is amended by adding at the end the following
4 new subsection:

5 “(j) DEVELOPMENT OF LIST OF TESTS.—

6 “(1) DEVELOPMENT OF LISTS OF TESTS BY
7 THE SECRETARY.—The Secretary, in consultation
8 with the Office of the Inspector General of the De-
9 partment of Health and Human Services, shall de-
10 velop and periodically update a list of clinical diag-
11 nostic laboratory tests for which payment may be

1 made under this section that are at high risk of
2 fraudulent claims.

3 “(2) CLAIM REVIEW.—With respect to clinical
4 diagnostic laboratory tests furnished on or after
5 January 1, 2027, that are included on the list de-
6 scribed in paragraph (1), if the Secretary determines
7 that such a test has an aberrant billing pattern (as
8 such term is used for purposes of section 414.234(b)
9 of title 42, Code of Federal Regulations), the Sec-
10 retary shall conduct prepayment review of claims for
11 payment for such tests.”.

