

119TH CONGRESS
1ST SESSION

S. _____

To amend title XVIII of the Social Security Act to modify data collection requirements for appropriate use criteria for applicable imaging services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. BLACKBURN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to modify data collection requirements for appropriate use criteria for applicable imaging services, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Radiology Outpatient
5 Ordering Transmission (ROOT) Act”.

1 **SEC. 2. MODIFICATION OF APPROPRIATE USE CRITERIA**
2 **DATA COLLECTION FOR APPLICABLE IMAG-**
3 **ING SERVICES .**

4 (a) IN GENERAL.—Section 1834(q) of the Social Se-
5 curity Act (42 U.S.C. 1395m(q)) is amended—

6 (1) in paragraph (3)(B)(ii)—

7 (A) in subclause (IV), by striking “gen-
8 erates and provides to the ordering professional
9 a certification or documentation that”; and

10 (B) by adding at the end the following new
11 subclause:

12 “(VIII) Beginning with January
13 1, 2026, the mechanism provides to
14 the Secretary—

15 “(aa) the information de-
16 scribed in subclauses (III) and
17 (IV);

18 “(bb) the information de-
19 scribed in paragraph (4)(B); and

20 “(cc) such other information
21 as the Secretary determines to be
22 appropriate, at such time, and in
23 such form and manner, as the
24 Secretary may specify.”;

25 (2) in paragraph (4)—

1 (A) in subparagraph (A), by striking
2 clause (ii) and inserting the following:

3 “(ii) beginning January 1, 2026, com-
4 ply with such requirements as the Sec-
5 retary may establish.”;

6 (B) in subparagraph (B)—

7 (i) in the heading, by striking “FUR-
8 NISHING PROFESSIONAL” and inserting
9 “QUALIFIED CLINICAL DECISION SUPPORT
10 MECHANISM”;

11 (ii) in the matter preceding clause
12 (i)—

13 (I) by striking “January 1,
14 2017” and inserting “January 1,
15 2026”; and

16 (II) by striking “payment for
17 such service may only be made if the
18 claim for the service includes” and in-
19 serting “the qualified decision support
20 mechanism shall maintain and report
21 to the Secretary under subparagraph
22 (F)”;

23 (iii) in clause (iii), by striking “(if dif-
24 ferent from the furnishing professional)”;

1 (C) in subparagraph (C), by adding at the
2 end the following new clauses:

3 “(iv) CLINICAL TRIALS.—An applica-
4 ble imaging service that is ordered for an
5 individual as part of a clinical trial.

6 “(v) SMALL AND RURAL PRAC-
7 TICES.—An applicable imaging service or-
8 dered by an ordering professional prac-
9 ticing in a small practice (consisting of 15
10 or fewer ordering professionals), or a prac-
11 tice in a health professional shortage area
12 (as designated under section 332(a)(1)(A)
13 of the Public Health Service Act) located
14 in a rural area.

15 “(vi) SPECIFIED EXEMPTIONS.—The
16 following types of applicable imaging serv-
17 ices:

18 “(I) A mammography.

19 “(II) A lung cancer screening
20 performed using computed tomog-
21 raphy.

22 “(III) A colonography performed
23 using computed tomography.

1 “(IV) Such other preventive or
2 screening imaging services as the Sec-
3 retary determines appropriate.”;

4 (D) in subparagraph (D), by adding at the
5 end the following new clause:

6 “(iv) Any other payment system de-
7 termined appropriate by the Secretary.”;

8 and

9 (E) by adding at the end the following new
10 subparagraphs:

11 “(E) FURNISHING PROFESSIONAL RE-
12 QUIREMENT.—Beginning January 1, 2026, with
13 respect to an applicable imaging service fur-
14 nished in an applicable setting and paid for
15 under an applicable payment system (as defined
16 in subparagraph (D)), the furnishing profes-
17 sional shall include the national provider identi-
18 fier of the ordering professional (if different
19 from the furnishing professional) on the claim
20 for the service.

21 “(F) REPORTING REQUIREMENTS.—The
22 Secretary shall provide, through guidance or
23 rulemaking, information on appropriate ways
24 that each qualified clinical decision support
25 mechanism may report the information main-

1 tained under subparagraph (B) to the Secretary
2 to support the Secretary in implementing para-
3 graphs (5) and (6).”;

4 (3) in paragraph (5)—

5 (A) in the heading, by striking “OUTLIER”
6 and inserting “LOW COMPLIANT”

7 (B) by striking subparagraphs (A) and (B)
8 and inserting the following:

9 “(A) IN GENERAL.—With respect to appli-
10 cable imaging services furnished on or after
11 January 1, 2026, the Secretary shall determine
12 on an annual basis the total number of ordering
13 professionals who are designated as low compli-
14 ant ordering professionals under subparagraph
15 (B).

16 “(B) LOW COMPLIANT ORDERING PROFES-
17 SIONALS.—The Secretary shall designate order-
18 ing professionals with a compliance rate (as de-
19 termined under subparagraph (D)) lower than
20 an amount determined by the Secretary as low
21 compliant ordering professionals.”;

22 (C) in paragraph (C), by striking “outlier”
23 and inserting “low compliant”;

24 (D) by striking subparagraph (D) and in-
25 serting the following:

1 “(D) DETERMINATION OF COMPLIANCE
2 RATE.—

3 “(i) IN GENERAL.—

4 “ (I) COMPLIANCE RATES.—For
5 applicable imaging services furnished
6 on or after January 1, 2026, the Sec-
7 retary shall determine a compliance
8 rate (as defined in clause (ii)) for
9 each ordering professional for a period
10 specified by the Secretary.

11 “(II) USE OF DATA.—In deter-
12 mining a compliance rate for an or-
13 dering professional under subclause
14 (I), the Secretary shall use data made
15 available to the Secretary by qualified
16 clinical decision support mechanisms
17 published in the list under paragraph
18 (3)(C) that were consulted by the or-
19 dering professional for the period
20 specified by the Secretary under sub-
21 clause (I).

22 “(ii) DEFINITION OF COMPLIANCE
23 RATE.—

24 “(I) IN GENERAL.—In this sub-
25 paragraph, the term ‘compliance rate’

1 means, with respect to the require-
2 ment that an ordering professional
3 consult with a qualified decision sup-
4 port mechanism when ordering an ap-
5 plicable imaging service under para-
6 graph (4)(A)(i), the ratio (expressed
7 as a percentage) of—

8 “(aa) the number of claims
9 for orders for an applicable imag-
10 ing service from such ordering
11 professional during the period
12 specified by the Secretary under
13 clause (i)(I) that provided the
14 qualified decision support mecha-
15 nism consulted by such ordering
16 professional; and

17 “(bb) the total number of
18 orders for an applicable imaging
19 service from such ordering pro-
20 fessional during such period.

21 “(II) EXCLUSION OF EXCEPTED
22 ORDERS.—In calculating the compli-
23 ance rate for an ordering professional
24 under subclause (I), the Secretary
25 shall exclude from the total number of

1 orders in item (bb) of such subclause
2 any order for an applicable imaging
3 service described in paragraph
4 (4)(C).”; and

5 (E) in subparagraph (E), by striking
6 “outlier” and inserting “low compliant”;

7 (4) by striking paragraph (6) and inserting the
8 following:

9 “(6) STUDY AND REPORT ON LOW COMPLIANT
10 ORDERING PROFESSIONALS AND UTILIZATION OF AP-
11 PPLICABLE IMAGING SERVICES.—

12 “(A) IN GENERAL.—Not later than Janu-
13 ary 1, 2031, and every 5 years thereafter, the
14 Secretary shall conduct a study regarding the
15 compliance rates calculated under paragraph
16 (5) and submit a report to Congress that—

17 “(i) discusses—

18 “(I) such rates and compliance
19 with this subsection;

20 “(II) the impact this subsection
21 has on the utilization of applicable im-
22 aging services; and

23 “(III) potential mechanisms for
24 improving compliance with this sub-
25 section, including—

1 “(aa) prior authorization for
2 applicable imaging services or-
3 dered by low compliant ordering
4 professionals;

5 “(bb) any payment adjust-
6 ment related to the services, or a
7 subset of services, that the Sec-
8 retary may designate under the
9 fee schedule under section 1848;
10 or

11 “(cc) other mechanisms de-
12 termined appropriate by the Sec-
13 retary; and

14 “(ii) proposes alternative compliance
15 rate thresholds for low compliant ordering
16 professionals for purposes of paragraph
17 (5)(B).”; and

18 (5) by adding at the end the following new
19 paragraph:

20 “(8) SPECIALTY SOCIETY ENDORSEMENT.—In
21 specifying applicable appropriate use criteria for ap-
22 plicable imaging services under paragraph (2) and
23 qualified clinical decision support mechanisms under
24 paragraph (3), the Secretary shall substantially ad-
25 here to the approach described in section 414.94 of

1 title 42, Code of Federal Regulations (as in effect on
2 January 1, 2023).”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall take effect on January 1, 2026.