

119TH CONGRESS
2D SESSION

S. 4566

To amend title XIX of the Social Security Act to require coverage under State plans under the Medicaid program for annual lung cancer screening with no cost sharing for individuals for whom screening is recommended by U.S. Preventive Services Task Force guidelines, to expand coverage under Medicaid of counseling and pharmacotherapy for cessation of tobacco use, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 19, 2026

Mr. DURBIN (for himself and Ms. HIRONO) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to require coverage under State plans under the Medicaid program for annual lung cancer screening with no cost sharing for individuals for whom screening is recommended by U.S. Preventive Services Task Force guidelines, to expand coverage under Medicaid of counseling and pharmacotherapy for cessation of tobacco use, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Increasing Access to
3 Lung Cancer Screening Act”.

4 **SEC. 2. MEDICAID COVERAGE OF ANNUAL LUNG CANCER**
5 **SCREENING WITH NO COST SHARING FOR**
6 **CERTAIN INDIVIDUALS.**

7 (a) IN GENERAL.—Section 1905(a)(4) of the Social
8 Security Act (42 U.S.C. 1396d(a)(4)) is amended—

9 (1) by striking “and” before “(D)”;

10 (2) by striking “and” before “(E)”;

11 (3) by striking “and” before “(F)”;

12 (4) by inserting before the semicolon at the end
13 the following: “; and (G) an annual lung cancer
14 screening for individuals who are eligible under the
15 State plan or under a waiver of such plan and for
16 whom such screening is recommended under guide-
17 lines published by the United States Preventive
18 Services Task Force (provided that such guidelines
19 do not decrease the recommended frequency of lung
20 cancer screenings for such individuals or narrow the
21 population recommended for lung cancer screening
22 published by the United States Preventive Services
23 Task Force on March 9, 2021), without regard to
24 prior authorization”.

25 (b) No COST SHARING.—

1 (1) IN GENERAL.—Subsections (a)(2) and
 2 (b)(2) of section 1916 of the Social Security Act (42
 3 U.S.C. 1396o) are each amended—

4 (A) in subparagraph (I), by striking “or”
 5 at the end;

6 (B) in subparagraph (J), by striking “;
 7 and” and inserting “, or” at the end; and

8 (C) by adding at the end the following new
 9 subparagraph:

10 “(K) lung cancer screening for which pay-
 11 ment may be made under the State plan or
 12 under a waiver of such plan pursuant section to
 13 1905(a)(4)(G); and”.

14 (2) APPLICATION TO ALTERNATIVE COST SHAR-
 15 ING.—Section 1916A(b)(3)(B) of the Social Security
 16 Act (42 U.S.C. 1396o–1(b)(3)(B)) is amended by
 17 adding at the end the following new clause:

18 “(xv) Lung cancer screening for which
 19 payment may be made under the State
 20 plan or under a waiver of such plan pursu-
 21 ant to section 1905(a)(4)(G).”.

22 (c) APPLICATION TO MEDICAID MANAGED CARE OR-
 23 GANIZATIONS.—Section 1932(b) of the Social Security Act
 24 (42 U.S.C. 1396u–2(b)) is amended by adding at the end
 25 the following new paragraph:

1 “(9) LUNG CANCER SCREENING.—Each con-
 2 tract with a medicaid managed care organization
 3 under section 1903(m) shall require the organization
 4 to provide coverage for lung cancer screening for
 5 which payment may be made under the State plan
 6 or under a waiver of such plan pursuant to section
 7 1905(a)(4)(G) without regard to prior authoriza-
 8 tion.”.

9 (d) EFFECTIVE DATE.—

10 (1) IN GENERAL.—Subject to paragraph (2),
 11 the amendments made by this section shall apply
 12 with respect to items and services furnished on or
 13 after January 1, 2028.

14 (2) EXCEPTION IF STATE LEGISLATION RE-
 15 QUIRED.—In the case of a State plan for medical as-
 16 sistance under title XIX of the Social Security Act
 17 which the Secretary of Health and Human Services
 18 determines requires State legislation (other than leg-
 19 islation appropriating funds) in order for the plan to
 20 meet the additional requirements imposed by the
 21 amendments made by this section, the State plan
 22 shall not be regarded as failing to comply with the
 23 requirements of such title solely on the basis of its
 24 failure to meet such additional requirements before
 25 the first day of the first calendar quarter beginning

1 after the close of the first regular session of the
 2 State legislature that begins after the date of the en-
 3 actment of this Act. For purposes of the previous
 4 sentence, in the case of a State that has a 2-year
 5 legislative session, each year of such session shall be
 6 deemed to be a separate regular session of the State
 7 legislature.

8 **SEC. 3. EXPANDING COVERAGE UNDER MEDICAID OF**
 9 **COUNSELING AND PHARMACOTHERAPY FOR**
 10 **CESSATION OF TOBACCO USE TO ALL MED-**
 11 **ICAID INDIVIDUALS.**

12 (a) IN GENERAL.—Section 1905 of the Social Secu-
 13 rity Act (42 U.S.C. 1396d) is amended—

14 (1) in subsection (a)(4)(D)—

15 (A) by striking “by pregnant women”; and

16 (B) by inserting “without regard to prior
 17 authorization” after “(as defined in subsection
 18 (bb))”; and

19 (2) in subsection (bb)—

20 (A) by striking “by pregnant women” each
 21 place it appears;

22 (B) in paragraph (1), by striking “tobacco
 23 use who” and inserting “tobacco use (including
 24 the use of e-cigarettes or vape pens) by individ-
 25 uals who”; and

1 (C) in paragraph (2)(A), by striking “with
2 respect to pregnant women”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Section 1927(d)(2)(F) of the Social Secu-
5 rity Act (42 U.S.C. 1396r–8(d)(2)(F)) is amended
6 by striking “, in the case of pregnant women”.

7 (2) Section 1916 of the Social Security Act (42
8 U.S.C. 1396o), as amended by section 2(b)(1), is
9 further amended in each of subsections (a)(2) and
10 (b)(2)—

11 (A) in subparagraph (B), by striking “,
12 and counseling and pharmacotherapy for ces-
13 sation of tobacco use by pregnant women (as
14 defined in section 1905(bb)) and covered out-
15 patient drugs (as defined in subsection (k)(2) of
16 section 1927 and including nonprescription
17 drugs described in subsection (d)(2) of such
18 section) that are prescribed for purposes of pro-
19 moting, and when used to promote, tobacco ces-
20 sation by pregnant women in accordance with
21 the Guideline referred to in section
22 1905(bb)(2)(A)”;

23 (B) in subparagraph (J), by striking “or”
24 at the end;

1 (C) in subparagraph (K), by striking “;
2 and” at the end and inserting “, or”; and

3 (D) by adding at the end the following new
4 subparagraph:

5 “(L) counseling and pharmacotherapy for
6 cessation of tobacco use (as defined in section
7 1905(bb)) and covered outpatient drugs (as de-
8 fined in subsection (k)(2) of section 1927 and
9 including nonprescription drugs described in
10 subsection (d)(2) of such section) that are pre-
11 scribed for purposes of promoting, and when
12 used to promote, tobacco cessation in accord-
13 ance with the Guideline referred to in section
14 1905(bb)(2)(A); and”.

15 (3) Section 1916A(b)(3)(B) of such Act (42
16 U.S.C. 1396o–1(b)(3)(B)), as amended by section
17 2(b)(2), is further amended—

18 (A) in clause (iii), by striking “, and coun-
19 seling and pharmacotherapy for cessation of to-
20 bacco use by pregnant women (as defined in
21 section 1905(bb))”; and

22 (B) by adding at the end the following new
23 clause:

1 “(xvi) Counseling and
 2 pharmacotherapy for cessation of tobacco
 3 use (as defined in section 1905(bb)).”.

4 (c) APPLICATION TO MEDICAID MANAGED CARE OR-
 5 GANIZATIONS.—Section 1932(b) of the Social Security Act
 6 (42 U.S.C. 1396u–2(b)), as amended by section 2(c), is
 7 further amended by adding at the end the following new
 8 paragraph:

9 “(10) CESSATION OF TOBACCO USE.—Each
 10 contract with a medicaid managed care organization
 11 under section 1903(m) shall require the organization
 12 to provide coverage for counseling and
 13 pharmacotherapy for cessation of tobacco use with-
 14 out regard to prior authorization.”.

15 (d) EFFECTIVE DATE.—

16 (1) IN GENERAL.—Subject to paragraph (2),
 17 the amendments made by this section shall apply
 18 with respect to items and services furnished on or
 19 after January 1, 2028.

20 (2) EXCEPTION IF STATE LEGISLATION RE-
 21 QUIRED.—In the case of a State plan for medical as-
 22 sistance under title XIX of the Social Security Act
 23 which the Secretary of Health and Human Services
 24 determines requires State legislation (other than leg-
 25 islation appropriating funds) in order for the plan to

1 meet the additional requirements imposed by the
 2 amendments made by this section, the State plan
 3 shall not be regarded as failing to comply with the
 4 requirements of such title solely on the basis of its
 5 failure to meet such additional requirements before
 6 the first day of the first calendar quarter beginning
 7 after the close of the first regular session of the
 8 State legislature that begins after the date of the en-
 9 actment of this Act. For purposes of the previous
 10 sentence, in the case of a State that has a 2-year
 11 legislative session, each year of such session shall be
 12 deemed to be a separate regular session of the State
 13 legislature.

14 **SEC. 4. COVERAGE UNDER MEDICARE AND PRIVATE**
 15 **HEALTH INSURANCE OF ANNUAL LUNG CAN-**
 16 **CER SCREENING WITHOUT UTILIZATION**
 17 **MANAGEMENT REQUIREMENTS.**

18 (a) MEDICARE.—

19 (1) IN GENERAL.—Section 1834 of the Social
 20 Security Act (42 U.S.C. 1395m) is amended by add-
 21 ing at the end the following new subsection:

22 “(bb) SPECIAL RULE FOR ANNUAL LUNG CANCER
 23 SCREENING.—Notwithstanding any other provision of this
 24 title, in the case of an annual lung cancer screening for
 25 which benefits are provided under this part for any indi-

1 vidual for whom such screening is recommended in accord-
 2 ance with guidelines issued by the Secretary, such benefits
 3 shall be provided without application of any prior author-
 4 ization.”.

5 (2) APPLICATION UNDER MEDICARE ADVAN-
 6 TAGE.—Section 1852(a)(1)(B) of the Social Security
 7 Act (42 U.S.C. 1395w–22(a)(1)(B)) is amended by
 8 adding at the end the following new clause:

9 “(vii) PROHIBITION OF APPLICATION
 10 OF CERTAIN REQUIREMENTS FOR ANNUAL
 11 LUNG CANCER SCREENING.—In the case of
 12 an annual lung cancer screening for which
 13 benefits are provided under part B for any
 14 individual for whom such screening is rec-
 15 ommended in accordance with guidelines
 16 issued by the Secretary for purposes of
 17 section 1834(bb), an MA plan may not im-
 18 pose any prior authorization with respect
 19 to the coverage of such screening under
 20 such plan.”.

21 (3) EFFECTIVE DATE.—The amendments made
 22 by this subsection shall apply with respect to serv-
 23 ices furnished on or after January 1, 2028.

24 (b) INDIVIDUAL AND GROUP HEALTH INSURANCE
 25 MARKETS.—

1 (1) IN GENERAL.—Section 2713 of the Public
 2 Health Service Act (42 U.S.C. 300gg–13) is amend-
 3 ed by adding at the end the following new sub-
 4 section:

5 “(d) PROHIBITION OF APPLICATION OF CERTAIN RE-
 6 QUIREMENTS FOR ANNUAL LUNG CANCER SCREENING.—
 7 A group health plan and a health insurance issuer offering
 8 group or individual health insurance coverage may not re-
 9 quire any prior authorization with respect to the benefits
 10 under such plan or coverage for an annual lung cancer
 11 screening for any individual for whom such screening is
 12 recommended by the United States Preventive Services
 13 Task Force.”.

14 (2) EFFECTIVE DATE.—The amendments made
 15 by this subsection shall apply with respect to plan
 16 years beginning on or after January 1, 2028.

17 **SEC. 5. LUNG CANCER SCREENING EDUCATION AND OUT-**
 18 **REACH.**

19 (a) IN GENERAL.—The Secretary of Health and
 20 Human Services (in this section referred to as the “Sec-
 21 retary”), in consultation with patient and lung cancer ad-
 22 vocacy groups, shall conduct an education and outreach
 23 campaign for purposes of informing individuals and health
 24 care providers of—

1 (1) the importance of lung cancer screenings;
2 and

3 (2) the categories of individuals who should re-
4 ceive such screenings.

5 (b) MANNER OF OUTREACH.—The Secretary may
6 carry out the campaign described in subsection (a) di-
7 rectly, by contract, through the issuance of grants, or oth-
8 erwise. In carrying out such campaign, the Secretary shall
9 ensure that the campaign is targeted to reach individuals
10 at high risk of lung cancer.

11 (c) FUNDING.—There are authorized to be appro-
12 priated \$10,000,000 for each of fiscal years 2028 through
13 2032 for purposes of carrying out this section.

14 **SEC. 6. REPORT.**

15 Not later than 1 year after the date of the enactment
16 of this Act, the Comptroller General of the United States
17 shall conduct a study and submit to Congress a report
18 on the demographics of individuals diagnosed with lung
19 cancer and individuals screened for such cancer. Such re-
20 port shall identify—

21 (1) any segments of the population diagnosed
22 with lung cancer but not captured in current screen-
23 ing eligibility guidelines (such as firefighters, vet-
24 erans, and women under 50 years of age); and

1 (2) recommendations for how the Federal Gov-
2 ernment can improve screening for such cancer
3 among such segments.

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