

**AMENDMENT OFFERED BY MR. COX
TO THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE
OFFERED BY MR. TAUZIN**

(Page & line nos. refer to Chairman's Mark Of June 17, 2003)

Insert after section 734 (page 245, after line 36) the following new section:

1 **SEC. 735. ADDITIONAL TAXPAYER SAVINGS THROUGH VOL-**
2 **UNTARY WAIVER OF MEDICARE BENEFITS;**
3 **PATIENT'S RIGHT TO CHOOSE.**

4 Section 1802(b)(3) (42 U.S.C. 1395a(b)(3)) is
5 amended to read as follows:

6 “(3) PATIENT’S RIGHT TO CHOOSE PHYSICIAN
7 OR PRACTITIONER.—Notwithstanding any other pro-
8 vision of this title, it shall be lawful for a physician
9 or practitioner to furnish medical and other health
10 services for a fee that such physician or practitioner
11 and the patient agree upon; provided, that the physi-
12 cian or practitioner, and the patient, shall have vol-
13 untarily elected not to seek payment or reimburse-
14 ment under the medicare program under this title
15 for such services in the manner provided in this sec-
16 tion. The previous sentence shall apply to contracts
17 entered into on or after the date of the enactment



1 of the Medicare Prescription Drug and Moderniza-
2 tion Act of 2003.”.

