To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2014

Mr. GUTRHEE (for himself, Mr. BUTTERFIELD, and Mr. YOUNG of Indiana) 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.

A BILL

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MEDICARE COVERAGE OF PHARMACIST SERVICES.

(a) COVERAGE.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(1) by striking “and” at the end of subparagraph (EE);
(2) by adding “and” at the end of subparagraph (FF); and

(3) by inserting after subparagraph (FF) the following new subparagraph:

“(GG) pharmacist services furnished by a pharmacist, as licensed by State law, individually or on behalf of a pharmacy provider—

“(i) which the pharmacist is legally authorized to perform in the State in which the individual performs such services;

“(ii) as would otherwise be covered under this part if furnished by a physician, or as an incident to a physician’s service; and

“(iii) in a setting located in a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act), medically underserved area, or medically underserved population (as defined in section 330(b)(3) of such Act);”.

(b) PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(1) by striking “and (Z)” and inserting “(Z)”;

and
(2) by inserting before the semicolon at the end the following: “(AA) with respect to pharmacist services (as defined in section 1861(s)(2)(GG)), the amounts paid shall be equal to 80 percent of the lesser of the actual charge or 85 percent of the fee schedule amount provided under section 1848 if such services had been furnished by a physician”.

(c) Effective Date; Pharmacist Specific Codes.—

(1) Effective Date.—The amendments made by subsections (a) and (b) shall apply with respect to services furnished on or after January 1, 2015.

(2) Pharmacist Specific Codes.—The Secretary of Health and Human Services shall develop pharmacist specific codes, as necessary, under the physician fee schedule under section 1848 of the Social Security Act (42 U.S.C. 1395w–4).