

105TH CONGRESS  
1ST SESSION

# H. R. 58

To amend title XVIII of the Social Security Act to improve Medicare treatment and education for beneficiaries with diabetes by providing coverage of diabetes outpatient self-management training services and uniform coverage of blood-testing strips for individuals with diabetes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Ms. FURSE (for herself, Mr. NETHERCUTT, Mr. DINGELL, Mr. BEREUTER, Mr. BOUCHER, Mr. DAVIS of Virginia, Mr. DEAL of Georgia, Mr. WAXMAN, Mr. WYNN, Mr. SKEEN, Mr. SAWYER, Mr. RUSH, Ms. ESHOO, Mr. NEY, Mr. RAMSTAD, Mrs. KENNELLY of Connecticut, Mr. GREEN, Mr. BROWN of Ohio, Mr. PALLONE, Ms. PRYCE of Ohio, Mr. POMEROY, Mr. SERRANO, Mr. ENGEL, Mr. MARKEY, Mr. MANTON, Mr. WATTS of Oklahoma, Mr. STUPAK, Mr. STARK, Mr. TOWNS, Mr. GORDON, Mrs. MORELLA, Mr. KLINK, Mr. CONDIT, Mr. DEUTSCH, Mrs. MYRICK, Ms. SLAUGHTER, Mr. McKEON, Mr. HALL of Ohio, Mr. HAMILTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARRETT of Wisconsin, Mr. KILDEE, Mr. ACKERMAN, Mr. YATES, Mr. WOLF, Mr. ANDREWS, Mr. BALDACCI, Mr. PETRI, Mr. BLUMENAUER, Mr. BONIOR, Ms. PELOSI, Mr. SCHIFF, Mr. WATT of North Carolina, Mr. UNDERWOOD, Mr. CARDIN, Mr. CLAY, Ms. DeLAURO, Mr. FAZIO of California, Mr. LaFALCE, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. RAHALL, Mr. SABO, Mr. MARTINEZ, Mr. MASCARA, Mr. GEPHARDT, Mr. GEJDENSON, Mr. WAMP, Mr. DEFazio, and Ms. HOOLEY) introduced the following bill; which was referred to the Committee on 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

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## A BILL

To amend title XVIII of the Social Security Act to improve Medicare treatment and education for beneficiaries with

diabetes by providing coverage of diabetes outpatient self-management training services and uniform coverage of blood-testing strips for individuals with diabetes.

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 “Medicare Diabetes  
 5       Education and Supplies Amendments of 1997”.

6       **SEC. 2. MEDICARE COVERAGE OF DIABETES OUTPATIENT**  
 7               **SELF-MANAGEMENT TRAINING SERVICES.**

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

10               (1) by striking “and” at the end of subpara-  
 11               graphs (M) and (O), and

12               (2) by inserting after subparagraph (O) the fol-  
 13               lowing new subparagraph:

14               “(P) diabetes outpatient self-management train-  
 15               ing services (as defined in subsection (oo)); and”.

16       (b) DEFINITION.—Section 1861 of such Act (42  
 17       U.S.C. 1395x) is amended by adding at the end the follow-  
 18       ing new subsection:

19       “Diabetes Outpatient Self-management Training Services  
 20       “(oo)(1) The term ‘diabetes outpatient self-manage-  
 21       ment training services’ means educational and training  
 22       services furnished to an individual with diabetes by or  
 23       under arrangements with a certified provider (as described

1 in paragraph (2)(A)) in an outpatient setting by an indi-  
2 vidual or entity who meets the quality standards described  
3 in paragraph (2)(B), but only if the physician who is man-  
4 aging the individual's diabetic condition certifies that such  
5 services are needed under a comprehensive plan of care  
6 related to the individual's diabetic condition to provide the  
7 individual with necessary skills and knowledge (including  
8 skills related to the self-administration of injectable drugs)  
9 to participate in the management of the individual's condi-  
10 tion.

11 “(2) In paragraph (1)—

12 “(A) a ‘certified provider’ is an individual or  
13 entity that, in addition to providing diabetes out-  
14 patient self-management training services, provides  
15 other items or services for which payment may be  
16 made under this title; and

17 “(B) an individual or entity meets the quality  
18 standards described in this paragraph if the individ-  
19 ual or entity meets quality standards established by  
20 the Secretary, except that the individual or entity  
21 shall be deemed to have met such standards if the  
22 individual or entity meets applicable standards origi-  
23 nally established by the National Diabetes Advisory  
24 Board and subsequently revised by organizations  
25 who participated in the establishment of standards

1 by such Board, or is recognized by the American Di-  
 2 abetes Association as meeting standards for furnish-  
 3 ing the services.”.

4 (c) CONSULTATION WITH ORGANIZATIONS IN ESTAB-  
 5 LISHING PAYMENT AMOUNTS FOR SERVICES PROVIDED  
 6 BY PHYSICIANS.—In establishing payment amounts under  
 7 section 1848(a) of the Social Security Act for physicians’  
 8 services consisting of diabetes outpatient self-management  
 9 training services, the Secretary of Health and Human  
 10 Services shall consult with appropriate organizations, in-  
 11 cluding the American Diabetes Association, in determining  
 12 the relative value for such services under section  
 13 1848(c)(2) of such Act.

14 (d) EFFECTIVE DATE.—The amendments made by  
 15 this section shall apply to services furnished on or after  
 16 January 1, 1998.

17 **SEC. 3. MEDICARE COVERAGE OF BLOOD-TESTING STRIPS**  
 18 **FOR INDIVIDUALS WITH DIABETES.**

19 (a) INCLUDING STRIPS AS DURABLE MEDICAL  
 20 EQUIPMENT.—Section 1861(n) of the Social Security Act  
 21 (42 U.S.C. 1395x(n)) is amended by striking the semi-  
 22 colon in the first sentence and inserting the following: “,  
 23 and includes blood-testing strips for individuals with dia-  
 24 betes without regard to injection of insulin (as determined

1 under standards established by the Secretary in consulta-  
2 tion with the American Diabetes Association);”.

3 (b) PAYMENT FOR STRIPS BASED ON METHODOLOGY  
4 FOR INEXPENSIVE AND ROUTINELY PURCHASED EQUIP-  
5 MENT.—Section 1834(a)(2)(A) of such Act (42 U.S.C.  
6 1395m(a)(2)(A)) is amended—

7 (1) by striking “or” at the end of clause (ii);

8 (2) by adding “or” at the end of clause (iii);

9 and

10 (3) by inserting after clause (iii) the following

11 new clause:

12 “(iv) which is a blood-testing strip for  
13 an individual with diabetes,”.

14 (c) EFFECTIVE DATE.—The amendments made by  
15 this section shall apply to blood-testing strips furnished  
16 on or after January 1, 1998.

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