

105TH CONGRESS
1ST SESSION

S. 102

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.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. BREAUX (for himself, Mr. AKAKA, Mr. BINGAMAN, Mr. CHAFEE, Mr. COCHRAN, Mr. CRAIG, Mr. GLENN, Mr. JEFFORDS, Mr. LEAHY, Mr. INOUE, Ms. MIKULSKI, and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Finance

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”.

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

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

5 (1) by striking “and” at the end of subpara-
 6 graphs (N) and (O); and

7 (2) by inserting after subparagraph (O) the fol-
 8 lowing new subparagraph:

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

11 (b) DEFINITION.—Section 1861 of the Social Secu-
 12 rity Act (42 U.S.C. 1395x) is amended by adding at the
 13 end the following new subsection:

14 “Diabetes Outpatient Self-management Training Services

15 “(oo)(1) The term ‘diabetes outpatient self-manage-
 16 ment training services’ means educational and training
 17 services furnished to an individual with diabetes by or
 18 under arrangements with a certified provider (as described
 19 in paragraph (2)(A)) in an outpatient setting by an indi-
 20 vidual or entity who meets the quality standards described
 21 in paragraph (2)(B), but only if the physician who is man-
 22 aging the individual’s diabetic condition certifies that such
 23 services are needed under a comprehensive plan of care
 24 related to the individual’s diabetic condition to provide the
 25 individual with necessary skills and knowledge (including
 26 skills related to the self-administration of injectable drugs)

1 to participate in the management of the individual's condi-
 2 tion.

3 “(2) In paragraph (1)—

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

9 “(B) an individual or entity meets the quality
 10 standards described in this paragraph if the individ-
 11 ual or entity meets quality standards established by
 12 the Secretary, except that the individual or entity
 13 shall be deemed to have met such standards if the
 14 individual or entity meets applicable standards origi-
 15 nally established by the National Diabetes Advisory
 16 Board and subsequently revised by organizations
 17 who participated in the establishment of standards
 18 by such Board, or is recognized by the American Di-
 19 abetes Association as meeting standards for furnish-
 20 ing the services.”.

21 (c) CONSULTATION WITH ORGANIZATIONS IN ESTAB-
 22 LISHING PAYMENT AMOUNTS FOR SERVICES PROVIDED
 23 BY PHYSICIANS.—In establishing payment amounts under
 24 section 1848(a) of the Social Security Act for physicians’
 25 services consisting of diabetes outpatient self-management

1 training services, the Secretary of Health and Human
 2 Services shall consult with appropriate organizations, in-
 3 cluding the American Diabetes Association, in determining
 4 the relative value for such services under section
 5 1848(c)(2) of such Act.

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

9 **SEC. 3. MEDICARE COVERAGE OF BLOOD-TESTING STRIPS**
 10 **FOR INDIVIDUALS WITH DIABETES.**

11 (a) INCLUDING STRIPS AS DURABLE MEDICAL
 12 EQUIPMENT.—Section 1861(n) of the Social Security Act
 13 (42 U.S.C. 1395x(n)) is amended by striking the semi-
 14 colon in the first sentence and inserting the following: “,
 15 and includes blood-testing strips for individuals with dia-
 16 betes without regard to injection of insulin (as determined
 17 under standards established by the Secretary in consulta-
 18 tion with the American Diabetes Association);”.

19 (b) PAYMENT FOR STRIPS BASED ON METHODOLOGY
 20 FOR INEXPENSIVE AND ROUTINELY PURCHASED EQUIP-
 21 MENT.—Section 1834(a)(2)(A) of such Act (42 U.S.C.
 22 1395m(a)(2)(A)) is amended—

- 23 (1) by striking “or” at the end of clause (ii);
 24 (2) by adding “or” at the end of clause (iii);
 25 and

1 (3) by inserting after clause (iii) the following
2 new clause:

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

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

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