

107TH CONGRESS  
1ST SESSION

# H. R. 121

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of oral drugs to treat low blood calcium levels or elevated parathyroid hormone levels for patients with end stage renal disease.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2001

Mr. HOLT introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 provide for coverage under the Medicare Program of oral drugs to treat low blood calcium levels or elevated parathyroid hormone levels for patients with end stage renal disease.

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 Coverage of  
5 Replacement Calcitriol Act of 2001”.

1 **SEC. 2. MEDICARE COVERAGE OF ORAL DRUGS USED TO**  
2 **TREAT LOW BLOOD CALCIUM LEVELS OR**  
3 **ELEVATED PARATHYROID HORMONE LEVELS**  
4 **FOR END STAGE RENAL DISEASE PATIENTS.**

5 (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
6 curity Act (42 U.S.C. 1395x(s)(2)), as amended by sec-  
7 tions 102(a) and 105(a) of the Medicare, Medicaid, and  
8 SCHIP Benefits Improvement and Protection Act of 2000  
9 (as enacted into law by section 1(a)(6) of Public Law 106–  
10 554), is amended—

11 (1) in subparagraph (U), by striking “and” at  
12 the end;

13 (2) in subparagraph (V), by inserting “and” at  
14 the end; and

15 (3) by inserting after subparagraph (V) the fol-  
16 lowing new subparagraph:

17 “(W) an oral drug (which is approved by the  
18 Food and Drug Administration) that—

19 “(i) is prescribed for use in the treatment  
20 of low blood calcium levels or elevated parathy-  
21 roid hormone levels in patients medically deter-  
22 mined to have end stage renal disease;

23 “(ii) is a full replacement for such treat-  
24 ment which would otherwise be administered in-  
25 travenously; and

1           “(iii) the Secretary determines results in  
2           overall cost savings for such treatment which  
3           would otherwise be administered intra-  
4           venously;”.

5           (b) INTERIM PAYMENT PENDING PUBLICATION OF  
6   FINAL RULE.—For the period beginning 30 days after the  
7   date of the enactment of this Act and ending on the date  
8   the Secretary of Health and Human Services publishes a  
9   final regulation to carry out section 1861(s)(2)(W) of the  
10   Social Security Act, as added by subsection (a)—

11           (1) oral drugs furnished under such section are  
12           deemed to result in the overall cost savings described  
13           in clause (iii) of such section, and

14           (2) the Secretary shall provide for payment for  
15           oral drugs furnished under such section during such  
16           period, and assign such temporary HCPCS code as  
17           is necessary to provide for such payment.

18           (c) EFFECTIVE DATE.—The amendments made by  
19   subsection (a) shall apply to oral drugs furnished on or  
20   after the date of the enactment of this Act.

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