

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3151

To amend part D of title XVIII of the Social Security Act to remove the exclusion of benzodiazepines from required coverage under the Medicare prescription drug program.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2005

Mr. CARDIN (for himself and Mr. RAMSTAD) 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

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## A BILL

To amend part D of title XVIII of the Social Security Act to remove the exclusion of benzodiazepines from required coverage under the Medicare prescription drug program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REMOVAL OF EXCLUSION OF**  
2 **BENZODIAZEPINES FROM REQUIRED COV-**  
3 **ERAGE UNDER THE MEDICARE PRESCRIP-**  
4 **TION DRUG PROGRAM.**

5 (a) IN GENERAL.—Section 1860D–2(e)(2) of the So-  
6 cial Security Act (42 U.S.C. 1395w–102(e)(2)) is amend-  
7 ed—

8 (1) by striking “subparagraph (E)” and insert-  
9 ing “subparagraphs (E) and (J)”; and

10 (2) by inserting “and benzodiazepines” after  
11 “smoking cessation agents”.

12 (b) REVIEW OF BENZODIAZEPINE PRESCRIPTION  
13 POLICIES TO ASSURE APPROPRIATENESS AND TO AVOID  
14 ABUSE.—The Secretary of Health and Human Services  
15 shall review the policies of medicare prescription drug  
16 plans (and MA–PD plans) under parts C and D of title  
17 XVIII of the Social Security Act regarding the filling of  
18 prescriptions for benzodiazepine to ensure that these poli-  
19 cies are consistent with accepted clinical guidelines, are  
20 appropriate to individual health histories, and are de-  
21 signed to minimize long term use, guard against over-pre-  
22 scribing, and prevent patient abuse.

23 (c) DEVELOPMENT BY MEDICARE QUALITY IM-  
24 PROVEMENT ORGANIZATIONS OF EDUCATIONAL GUIDE-  
25 LINES FOR PHYSICIANS REGARDING PRESCRIBING OF  
26 BENZODIAZEPINES.—The Secretary of Health and

1 Human Services shall provide, in contracts entered into  
2 with medicare quality improvement organizations under  
3 part B of title XI of the Social Security Act, for the devel-  
4 opment by such organizations of appropriate educational  
5 guidelines for physicians regarding the prescribing of  
6 benzodiazepines.

7 (d) EFFECTIVE DATE.—The amendments made by  
8 this section shall be effective as if included in the enact-  
9 ment of the Medicare Prescription Drug, Improvement,  
10 and Modernization Act of 2003 (Public Law 108–173).

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