

111TH CONGRESS
2D SESSION

H. R. 5926

To amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and other dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease by increasing detection, diagnosis, care, and planning.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2010

Mr. MARKEY of Massachusetts (for himself, Mr. SMITH of New Jersey, Mr. KLEIN of Florida, and Mr. GARAMENDI) 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 Medicare coverage of comprehensive Alzheimer's disease and other dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease by increasing detection, diagnosis, care, and planning.

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. SHORT TITLE.**

2 This Act may be cited as the “HOPE for Alzheimer’s:
3 Health Outcomes, Planning, and Education Act”.

4 **SEC. 2. MEDICARE COVERAGE OF COMPREHENSIVE ALZ-**
5 **HEIMER’S DISEASE AND OTHER DEMENTIA**
6 **DIAGNOSIS AND SERVICES.**

7 (a) IN GENERAL.—Section 1861 of the Social Secu-
8 rity Act is amended—

9 (1) in subsection (s)(2)—

10 (A) by striking “and” at the end of sub-
11 paragraph (EE);

12 (B) by adding “and” at the end of sub-
13 paragraph (FF); and

14 (C) by adding at the end the following new
15 subparagraph:

16 “(GG) comprehensive Alzheimer’s disease and
17 other dementia diagnosis and services (as defined in
18 subsection (iii));” and

19 (2) by adding at the end the following new sub-
20 section:

21 “Comprehensive Alzheimer’s Disease and Other
22 Dementia Diagnosis and Services

23 “(iii)(1) The term ‘comprehensive Alzheimer’s disease
24 and other dementia diagnosis and services’ means the
25 services described in paragraph (2) furnished to an indi-
26 vidual—

1 “(A) who does not already have a diagnosis of
2 Alzheimer’s disease or other dementia; and

3 “(B) for whom there has been a determination
4 by a physician or practitioner (as defined in section
5 1842(b)(18)(C)), in a medical setting such as a phy-
6 sician’s office, a skilled nursing facility, a community
7 health center, or another similar setting, that the in-
8 dividual—

9 “(i) may have a cognitive impairment or
10 dementia; and

11 “(ii) has a need for a diagnostic evaluation
12 for Alzheimer’s disease or another dementia.

13 “(2) The services described in this paragraph are the
14 following:

15 “(A) A diagnostic evaluation, including referral
16 to a specialist if recommended, in accordance with
17 guidelines specified by the Secretary.

18 “(B) If the individual is diagnosed with Alz-
19 heimer’s disease or another dementia under the eval-
20 uation under subparagraph (A), care planning serv-
21 ices (with the individual or with one or more family
22 caregivers of the individual without the presence of
23 the individual), including assistance understanding
24 the diagnosis as well as the medical and non-medical
25 options for ongoing treatment, services, and sup-

1 ports, and information about how to obtain such
2 treatments, services, and supports.

3 “(C) Medical record documentation, with re-
4 spect to an individual, of the diagnostic evaluation
5 under subparagraph (A) and any care planning serv-
6 ices under subparagraph (B).

7 “(3) The Secretary shall establish standards to carry
8 out this subsection in consultation with Alzheimer’s dis-
9 ease and other dementia stakeholders, including patients
10 and their advocates, and medical experts in the areas of
11 detection, diagnostics, and care planning.”.

12 (b) PAYMENT.—Section 1833(a)(1) of the Social Se-
13 curity Act (42 U.S.C. 1395l(a)(1)) is amended by striking
14 “and” before “(X)” and inserting before the semicolon at
15 the end the following: “, and (Y) with respect to com-
16 prehensive Alzheimer’s disease and other dementia diag-
17 nosis and services (as defined in section 1861(iii)), the
18 amount paid shall be an amount equal to 80 percent of
19 the amount determined under a fee schedule established
20 by the Secretary”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to services furnished on or after
23 January 1, 2011.

1 **SEC. 3. FEDERAL COORDINATED HEALTH CARE OFFICE**

2 **STUDY AND REPORT.**

3 (a) STUDY.—The Federal Coordinated Health Care
4 Office (as established under section 2602 of the Patient
5 Protection and Affordable Care Act (42 U.S.C. 1315b))
6 shall conduct a study to identify—

7 (1) barriers to the detection of Alzheimer’s dis-
8 ease and other dementias for dual eligible individuals
9 (as defined in subsection (f) of such section 2602);

10 (2) barriers to the furnishing of comprehensive
11 Alzheimer’s disease and other dementia diagnosis
12 and services (as defined in section 1866(iii) of the
13 Social Security Act, as added by section 2) to such
14 individuals; and

15 (3) ways to eliminate the barriers described in
16 paragraphs (1) and (2).

17 (b) REPORT.—Not later than 2 years after the date
18 of the enactment of this Act, the Federal Coordinated
19 Health Care Office shall submit to Congress a report on
20 the study conducted under subsection (a) together with
21 recommendations for such legislation and administrative
22 actions as the Office determines appropriate.

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