

113TH CONGRESS
1ST SESSION

H. R. 2845

To amend title XVIII of the Social Security Act to allow retail community pharmacies to deliver diabetic testing supplies to Medicare beneficiaries.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2013

Mr. WELCH 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 allow retail community pharmacies to deliver diabetic testing supplies to Medicare beneficiaries.

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 “Diabetic Testing Sup-
5 ply Access Act of 2013”.

1 **SEC. 2. AUTHORITY FOR RETAIL COMMUNITY PHARMACIES**
2 **TO DELIVER DIABETIC TESTING SUPPLIES TO**
3 **MEDICARE BENEFICIARIES.**

4 (a) IN GENERAL.—Section 1847(a) of the Social Se-
5 curity Act (42 U.S.C. 1395w–3(a)) is amended by adding
6 at the end the following new paragraph:

7 “(8) Nothing in this section shall be construed
8 as authorizing the Secretary (through regulation,
9 guidance, instruction, or otherwise) to restrict or
10 eliminate an individual’s option of electing, regard-
11 less of delivery method (except by mail), to have dia-
12 betic testing supplies delivered to the individual by
13 a retail community pharmacy (as defined in section
14 1927(k)(10)), including a retail community phar-
15 macy that contracts with a long-term care facility,
16 assisted living facility, group home, or other type of
17 residential setting recognized by the State. This
18 paragraph shall not be construed as changing the
19 amount of payment made under this part for dia-
20 betic testing supplies, but only as authorizing deliv-
21 ery of such supplies to individuals through retail
22 community pharmacies.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall apply to diabetic testing supplies deliv-
25 ered on or after the date of the enactment of this Act.