

114TH CONGRESS
1ST SESSION

S. 1345

To amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

IN THE SENATE OF THE UNITED STATES

MAY 14, 2015

Mrs. SHAHEEN (for herself, Ms. KLOBUCHAR, Mr. FRANKEN, and Mr. DONNELLY) 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 access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

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 “Access to Quality Dia-
5 betes Education Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The Centers for Disease Control and Pre-
2 vention (hereinafter “CDC”) report that nearly
3 29,000,000 Americans have diabetes, in addition to
4 an estimated 86,000,000 Americans who have
5 prediabetes, an increase of 34,000,000 Americans
6 with either diabetes or prediabetes since 2008. Peo-
7 ple with prediabetes are at increased risk of devel-
8 oping Type 2 diabetes or cardiovascular disease.

9 (2) Diabetes impacts 9.3 percent of all Ameri-
10 cans and 12.3 percent of American adults. The CDC
11 estimates that as many as 1 in 3 Americans will
12 have diabetes by 2050 if current trends continue.

13 (3) According to the American Diabetes Asso-
14 ciation, the total costs of diagnosed diabetes have
15 risen to \$245 billion in 2012 from \$174 billion in
16 2007, when the cost was last examined by the CDC.
17 This figure represents a 41 percent increase over a
18 five-year period.

19 (4) One in 3 Medicare dollars is currently spent
20 on people with diabetes.

21 (5) There were 11.3 million diabetes related
22 emergency room visits in 2008, compared with 9.5
23 million in 2000, an increase of 11 percent.

24 (6) According to the CDC, health care pro-
25 viders are finding statistically significant increases

1 in the prevalence of Type 2 diabetes in children and
2 adolescents.

3 (7) Diabetes self-management training (herein-
4 after “DSMT”), also called diabetes education, pro-
5 vides critical knowledge and skills training to pa-
6 tients with diabetes, helping them manage medica-
7 tions, address nutritional issues, facilitate diabetes-
8 related problem solving, and make other critical life-
9 style changes to effectively manage their diabetes.
10 Evidence shows that individuals participating in
11 DSMT programs are able to progress along the con-
12 tinuum necessary to make sustained behavioral
13 changes in order to manage their diabetes.

14 (8) A certified diabetes educator is a State li-
15 censed or registered health care professional who
16 specializes in helping people with diabetes develop
17 the self-management skills needed to stay healthy
18 and avoid costly acute complications and emergency
19 care, as well as debilitating secondary conditions
20 caused by diabetes.

21 (9) Diabetes self-management training has been
22 proven effective in helping to reduce the risks and
23 complications of diabetes and is a vital component of
24 an overall diabetes treatment regimen. Patients who
25 have received training from a certified diabetes edu-

1 cator are better able to implement the treatment
2 plan received from a physician skilled in diabetes
3 treatment.

4 (10) Lifestyle changes, such as those taught by
5 certified diabetes educators, directly contribute to
6 better glycemic control and reduced complications
7 from diabetes. Evidence shows that the potential for
8 prevention of the most serious medical complications
9 caused by diabetes to be as high as 90 percent
10 (blindness), 85 percent (amputations), and 50 per-
11 cent (heart disease and stroke) with proper medical
12 treatment and active self-management.

13 (11) In recognition of the important role of
14 DSMT programs, the CDC in 2012 awarded fund-
15 ing to expand the National Diabetes Prevention Pro-
16 gram to help prevent the onset of Type 2 diabetes
17 for individuals at high risk.

18 (12) The net savings to the Medicare program
19 of ensuring that beneficiaries have access to quality
20 DSMT is estimated to be \$2,000,000,000 over 10
21 years.

22 (13) Despite its effectiveness in reducing diabe-
23 tes-related complications and associated costs, diabe-
24 tes self-management training has been recognized by
25 the Centers for Medicare & Medicaid Services as an

1 underutilized Medicare benefit, even after more than
 2 a decade of coverage.

3 (14) Enhancing access to diabetes self-manage-
 4 ment training programs that are certified as nec-
 5 essary by the patient’s treating physician and taught
 6 by certified diabetes educators is an important pub-
 7 lic policy goal that can help improve health out-
 8 comes, ensure quality, and reduce escalating diabe-
 9 tes-related health costs.

10 **SEC. 3. RECOGNITION OF CERTIFIED DIABETES EDU-**
 11 **CATORS AS AUTHORIZED PROVIDERS OF**
 12 **MEDICARE DIABETES OUTPATIENT SELF-**
 13 **MANAGEMENT TRAINING SERVICES.**

14 (a) IN GENERAL.—Section 1861(qq) of the Social Se-
 15 curity Act (42 U.S.C. 1395x(qq)) is amended—

16 (1) in paragraph (1), by striking “by a certified
 17 provider (as described in paragraph (2)(A)) in an
 18 outpatient setting” and inserting “in an outpatient
 19 setting by a certified diabetes educator (as defined
 20 in paragraph (3)) or by a certified provider (as de-
 21 scribed in paragraph (2)(A))”; and

22 (2) by adding at the end the following new
 23 paragraphs:

24 “(3) For purposes of paragraph (1), the term ‘cer-
 25 tified diabetes educator’ means an individual—

1 “(A) who is licensed or registered by the State
 2 in which the services are performed as a certified di-
 3 abetes educator; or

4 “(B) who—

5 “(i) is licensed or registered by the State
 6 in which the services are performed as a health
 7 care professional;

8 “(ii) specializes in teaching individuals
 9 with diabetes to develop the necessary skills and
 10 knowledge to manage the individual’s diabetic
 11 condition; and

12 “(iii) is certified as a diabetes educator by
 13 a recognized certifying body (as defined in
 14 paragraph (4)).

15 “(4) For purposes of paragraph (3)(B)(iii), the term
 16 ‘recognized certifying body’ means a certifying body for
 17 diabetes educators which is recognized by the Secretary
 18 as authorized to grant certification of diabetes educators
 19 for purposes of this subsection pursuant to standards es-
 20 tablished by the Secretary.”.

21 (b) TREATMENT AS A PRACTITIONER, INCLUDING
 22 FOR TELEHEALTH SERVICES.—Section 1842(b)(18)(C) of
 23 the such Act (42 U.S.C. 1395u(b)(18)(C)) is amended by
 24 adding at the end the following new clause:

1 “(vii) A certified diabetes educator (as defined
2 in section 1861(qq)(3)).”.

3 (c) GAO STUDY AND REPORT.—

4 (1) STUDY.—The Comptroller General of the
5 United States shall conduct a study to identify the
6 barriers that exist for Medicare beneficiaries with di-
7 abetes in accessing diabetes self-management train-
8 ing services under the Medicare program, including
9 economic and geographic barriers and availability of
10 appropriate referrals and access to adequate and
11 qualified providers.

12 (2) REPORT.—Not later than 1 year after the
13 date of the enactment of this Act, the Comptroller
14 General of the United States shall submit to Con-
15 gress a report on the study conducted under para-
16 graph (1).

17 (d) AHRQ DEVELOPMENT OF RECOMMENDATIONS
18 FOR OUTREACH METHODS AND REPORT.—

19 (1) DEVELOPMENT OF RECOMMENDATIONS.—
20 The Director of the Agency for Healthcare Research
21 and Quality shall, through use of a workshop and
22 other appropriate means, develop a series of rec-
23 ommendations on effective outreach methods to edu-
24 cate physicians and other health care providers as
25 well as the public about the benefits of diabetes self-

1 management training in order to promote better
2 health outcomes for patients with diabetes.

3 (2) REPORT.—Not later than 1 year after the
4 date of the enactment of this Act, the Director of
5 the Agency for Healthcare Research and Quality
6 shall submit to Congress a report on the rec-
7 ommendations developed under paragraph (1).

8 (e) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to items and services furnished
10 after the end of the 12-month period beginning on the date
11 of the enactment of this Act.

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