

111TH CONGRESS  
1ST SESSION

# H. R. 2425

To amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2009

Ms. DEGETTE (for herself, Mr. CASTLE, Mr. KIRK, Mr. BECERRA, and Mr. SPACE) 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 title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicare Diabetes  
3 Self-Management Training Act of 2009”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Diabetes is widely recognized as one of the  
7 top public health threats currently facing the United  
8 States. Approximately 24,000,000 people in the  
9 United States are currently living with diabetes, and  
10 another 57,000,000 people in the United States have  
11 pre-diabetes, dramatically raising their risk of devel-  
12 oping diabetes, heart disease, and stroke. Three mil-  
13 lion individuals with diagnosed diabetes receive no  
14 treatment for the disease, and only about 56 percent  
15 of those newly diagnosed with diabetes receive the  
16 type of diet and exercise counseling that are vital  
17 components of a diabetes self management training  
18 (DSMT) regimen. The number of Americans living  
19 with diabetes increased 50 percent between 1997–  
20 2004, and the Centers for Disease Control projects  
21 that the prevalence of diagnosed diabetes in the U.S.  
22 will increase 165 percent by 2050.

23 (2) Diabetes costs the United States over \$174  
24 billion annually, with \$116 billion attributed to di-  
25 rect medical costs associated with diabetes care, and  
26 \$58 billion attributed to indirect costs associated

1 with lost productivity. Eighteen percent of all Medi-  
2 care beneficiaries have diabetes, accounting for 32  
3 percent of Medicare spending.

4 (3) Diabetes self-management training, also  
5 called diabetes education, provides critical knowledge  
6 and skills training to patients with diabetes, helping  
7 them identify barriers, facilitate problem solving,  
8 and develop coping skills to effectively manage their  
9 diabetes. A certified diabetes educator is a health  
10 care professional, often a nurse, dietitian, or phar-  
11 macist, who specializes in helping people with diabe-  
12 tes develop the self-management skills needed to  
13 stay healthy and avoid costly acute complications  
14 and emergency care, as well as debilitating sec-  
15 ondary conditions caused by diabetes.

16 (4) Diabetes self-management training has been  
17 proven effective in helping to reduce the risks and  
18 complications of diabetes. In 2002, the Diabetes  
19 Prevention Program study conducted by the Na-  
20 tional Institutes of Health and the Centers for Dis-  
21 ease Control and Prevention found that participants  
22 (all of whom were at increased risk of developing  
23 type 2 diabetes) who made lifestyle changes reduced  
24 their risk of getting type 2 diabetes by 58 percent.  
25 Lifestyle intervention worked in all of the groups but

1 it worked particularly well in people aged 60 and  
2 older, reducing the development of diabetes by 71  
3 percent. Similarly, studies have found that patients  
4 under the care of a certified diabetes educator are  
5 better able to control their diabetes and report im-  
6 provement in their health status.

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

16 (6) There are currently more than 20,000 dia-  
17 betes educators in the United States, most of whom  
18 are certified diabetes educators credentialed by the  
19 National Certification Board for Diabetes Edu-  
20 cators. Eligibility for certification as a diabetes edu-  
21 cator by the National Certification Board for Diabe-  
22 tes Educators requires prerequisite qualifying pro-  
23 fessional credentials in specific health care profes-  
24 sions and professional practice experience that in-  
25 cludes a minimum number of hours and years of ex-

1       perience in diabetes self-management training. Dia-  
2       betes educators certified by the National Certifi-  
3       cation Board for Diabetes Educators must also pass  
4       a rigorous national examination and periodically  
5       renew their credentials. Diabetes educators certified  
6       by the National Certification Board for Diabetes  
7       Educators, and licensed by a State as a health pro-  
8       fessional, are uniquely qualified to provide diabetes  
9       self-management training under the Medicare pro-  
10      gram.

11           (7) Enhancing access to diabetes self-manage-  
12      ment training programs that are taught by Certified  
13      Diabetes Educators is an important public policy  
14      goal that can help improve health outcomes, ensure  
15      quality, and reduce escalating diabetes-related health  
16      costs.

17 **SEC. 3. RECOGNITION OF CERTIFIED DIABETES EDU-**  
18 **CATORS AS CERTIFIED PROVIDERS FOR PUR-**  
19 **POSES OF MEDICARE DIABETES OUTPATIENT**  
20 **SELF-MANAGEMENT TRAINING SERVICES.**

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

23           (1) in paragraph (1), by inserting “or by a cer-  
24      tified diabetes educator (as defined in paragraph  
25      (3))” after “paragraph (2)(B)”; and

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

3           “(3) For purposes of paragraph (1), the term  
4 ‘certified diabetes educator’ means an individual  
5 who—

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

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

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

16           “(4)(A) For purposes of paragraph (3)(B), the  
17 term ‘recognized certifying body’ means—

18                           “(i) the National Certification Board  
19 for Diabetes Educators, or

20                           “(ii) a certifying body for diabetes  
21 educators, which is recognized by the Sec-  
22 retary as authorized to grant certification  
23 of diabetes educators for purposes of this  
24 subsection pursuant to standards estab-  
25 lished by the Secretary,

1 if the Secretary determines such Board or body,  
2 respectively, meets the requirement of subpara-  
3 graph (B).

4 “(B) The National Certification Board for  
5 Diabetes Educators or a certifying body for dia-  
6 betes educators meets the requirement of this  
7 subparagraph, with respect to the certification  
8 of an individual, if the Board or body, respec-  
9 tively, is incorporated and registered to do busi-  
10 ness in the United States and requires as a  
11 condition of such certification each of the fol-  
12 lowing:

13 “(i) The individual has a qualifying  
14 credential in a specified health care profes-  
15 sion.

16 “(ii) The individual has professional  
17 practice experience in diabetes self-man-  
18 agement training that includes a minimum  
19 number of hours and years of experience in  
20 such training.

21 “(iii) The individual has successfully  
22 completed a national certification examina-  
23 tion offered by such entity.

1                   “(iv) The individual periodically re-  
2                   news certification status following initial  
3                   certification.”.

4           (b) GAO STUDY AND REPORT.—

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

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

18           (c) AHRQ DEVELOPMENT OF RECOMMENDATIONS  
19 FOR OUTREACH METHODS AND REPORT.—

20               (1) DEVELOPMENT OF RECOMMENDATIONS.—

21               The Director of the Agency for Healthcare Research  
22               and Quality shall, through use of a workshop and  
23               other appropriate means, develop a series of rec-  
24               ommendations on effective outreach methods to edu-  
25               cate primary care physicians and the public about



1 the benefits of diabetes self-management training in  
2 order to promote better health outcomes for patients  
3 with diabetes.

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

9 (d) EFFECTIVE DATE.—The amendments made by  
10 subsection (a) shall apply to diabetes outpatient self-man-  
11 agement training services furnished on or after the first  
12 day of the first calendar year that is at least 6 months  
13 after the date of the enactment of this Act.

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