

115TH CONGRESS  
1ST SESSION

# H. R. 592

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2017

Mr. GUTHRIE (for himself, Mr. KIND, Mr. REED, Mr. BUTTERFIELD, Mrs. BLACKBURN, Mr. KING of Iowa, Ms. KUSTER of New Hampshire, Mr. BOST, Mr. FOSTER, Mr. RYAN of Ohio, Mr. SWALWELL of California, Mr. SHUSTER, Mr. THOMAS J. ROONEY of Florida, Mr. TIPTON, Mr. BROOKS of Alabama, Mr. FARENTHOLD, Mr. YOUNG of Alaska, Mrs. MCMORRIS RODGERS, Ms. NORTON, Mr. LANGEVIN, Mr. STEWART, Mr. CUMMINGS, Mr. BILIRAKIS, Mr. CONNOLLY, Mr. LIPINSKI, Ms. DELAURO, Mr. MEEHAN, Mr. COLLINS of Georgia, Mr. LONG, Mr. MASSIE, Mr. DUNCAN of Tennessee, Mr. WALBERG, Mr. HILL, Ms. SPEIER, Ms. DELBENE, Mrs. WALORSKI, Ms. PINGREE, Mr. CARTER of Texas, Mr. BLUM, Ms. SLAUGHTER, Mr. ROGERS of Kentucky, Mr. PETERSON, Mr. LOBIONDO, Mr. SMITH of Texas, Mr. TIBERI, Mr. WEBSTER of Florida, Ms. TSONGAS, Mr. DELANEY, Mr. STIVERS, Mr. HUNTER, Mr. MESSER, Mr. YOHO, Mr. JONES, Mr. KNIGHT, Mrs. COMSTOCK, Mr. CARTER of Georgia, Mr. LARSON of Connecticut, Mr. COLLINS of New York, Mr. ROYCE of California, Mr. PITTENGER, Mr. HASTINGS, Mr. THOMPSON of Pennsylvania, Mr. AUSTIN SCOTT of Georgia, Mr. COHEN, Mr. RODNEY DAVIS of Illinois, Mr. MULLIN, Mr. HENSARLING, Mr. GIBBS, Mr. JOYCE of Ohio, Ms. STEFANIK, Mr. PRICE of North Carolina, Mr. BARLETTA, Mr. TURNER, Mr. OLSON, Mr. CRAMER, Mr. BYRNE, Mr. JOHNSON of Ohio, Mr. WALZ, Mr. VEASEY, Mr. KATKO, Mr. HURD, Mr. HUDSON, Mr. POCAN, Ms. MCSALLY, Mr. MARINO, Mr. DEFazio, Mr. HARPER, Mr. DESJARLAIS, Mrs. BUSTOS, Mr. HECK, Mr. SHIMKUS, Mr. PAULSEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. WELCH, Mr. LOEBSACK, Mr. GRAVES of Missouri, Mr. ABRAHAM, Mr. BISHOP of Michigan, Ms. MOORE, Mr. LANCE, Mr. LUCAS, Mr. KINZINGER, Mr. LUETKEMEYER, Ms. GABBARD, Ms. KELLY of Illinois, Mr. DENT, Mr. POLIQUIN, and Mr. EMMER) 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 coverage under the Medicare program of pharmacist services.

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 “Pharmacy and Medi-  
 5        cally Underserved Areas Enhancement Act”.

6        **SEC. 2. MEDICARE COVERAGE OF PHARMACIST SERVICES.**

7        (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
 8        curity Act (42 U.S.C. 1395x(s)(2)) is amended—

9                (1) by striking “and” at the end of subpara-  
 10              graph (FF);

11              (2) by adding “and” at the end of subpara-  
 12              graph (GG); and

13              (3) by inserting after subparagraph (GG) the  
 14              following new subparagraph:

15                      “(HH) pharmacist services furnished by a  
 16                      pharmacist, as licensed by State law, individ-  
 17                      ually or on behalf of a pharmacy provider—

18                              “(i) which the pharmacist is legally  
 19                              authorized to perform in the State in  
 20                              which the individual performs such serv-  
 21                              ices;

1           “(ii) as would otherwise be covered  
2           under this part if furnished by a physician,  
3           or as an incident to a physician’s service;  
4           and

5           “(iii) in a setting located in a health  
6           professional shortage area (as defined in  
7           section 332(a)(1)(A) of the Public Health  
8           Service Act), medically underserved area,  
9           or medically underserved population (as  
10          defined in section 330(b)(3) of such Act);”.

11          (b) PAYMENT.—Section 1833(a)(1) of the Social Se-  
12          curity Act (42 U.S.C. 1395l(a)(1)) is amended—

13                 (1) by striking “and (BB)” and inserting  
14                 “(BB)”; and

15                 (2) by inserting before the semicolon at the end  
16                 the following: “, and (CC) with respect to phar-  
17                 macist services (as defined in section  
18                 1861(s)(2)(HH)), the amounts paid shall be equal to  
19                 80 percent of the lesser of the actual charge or 85  
20                 percent of the fee schedule amount provided under  
21                 section 1848 if such services had been furnished by  
22                 a physician”.

23          (c) EFFECTIVE DATE; PHARMACIST SPECIFIC  
24          CODES.—

1           (1) EFFECTIVE DATE.—The amendments made  
2           by subsections (a) and (b) shall apply with respect  
3           to services furnished on or after January 1, 2018.

4           (2) PHARMACIST SPECIFIC CODES.—The Sec-  
5           retary of Health and Human Services shall develop  
6           pharmacist specific codes, as necessary, under the  
7           physician fee schedule under section 1848 of the So-  
8           cial Security Act (42 U.S.C. 1395w-4).

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