

116TH CONGRESS
2D SESSION

H. R. 6218

To amend title XVIII of the Social Security Act to clarify congressional intent and preserve patient access to home infusion therapy under the Medicare program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2020

Mr. ENGEL (for himself, Mr. UPTON, Ms. SEWELL of Alabama, Mr. MARCHANT, Mr. MARSHALL, and Ms. KELLY of Illinois) 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 clarify congressional intent and preserve patient access to home infusion therapy under the Medicare program, and for other purposes.

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 “Preserving Patient Ac-
5 cess to Home Infusion Act”.

1 **SEC. 2. PRESERVATION OF PATIENT ACCESS TO HOME IN-**
2 **FUSION THERAPY UNDER MEDICARE PRO-**
3 **GRAM.**

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

6 (1) in paragraph (2)(A), by inserting “and
7 pharmacy services” before “, furnished in accord-
8 ance with the plan”; and

9 (2) in paragraph (3)(C)(ii), by inserting after
10 “list” the following: “, unless such self-administered
11 drug or biological was included as a transitional
12 home infusion drug (as defined in section
13 1834(u)(7)(A)(iii))”.

14 (b) CLARIFICATION OF INFUSION DRUG ADMINIS-
15 TRATION CALENDAR DAY.—Section 1834(u)(1)(A)(ii) of
16 the Social Security Act (42 U.S.C. 1395m(u)(1)(A)(ii)) is
17 amended by inserting after the first sentence the following
18 new sentence: “For purposes of the previous sentence,
19 with respect to the furnishing of home infusion drugs to
20 an individual by a qualified home infusion therapy sup-
21 plier, a reference to payment to such supplier for an infu-
22 sion drug administration calendar day in the home of such
23 individual shall refer to payment for the date on which
24 such a drug was administered to the individual (regardless
25 of whether a qualified home infusion therapy supplier was

1 physically present in the home of such individual on such
2 date).”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply with respect to items and services
5 furnished on or after January 1, 2021.

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