

113TH CONGRESS
2D SESSION

S. 1935

To amend title XVIII of the Social Security Act to restore access to diabetic testing supplies for Medicare beneficiaries.

IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2014

Mr. THUNE (for himself and Mr. MORAN) 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 restore access to diabetic testing supplies for 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 2014”.

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 and private
 12 parcel service), to have diabetic testing supplies de-
 13 livered to the individual by a retail community phar-
 14 macy (as defined in section 1927(k)(10)), including
 15 a retail community pharmacy that contracts with a
 16 long-term care facility, assisted living facility, group
 17 home, or other type of residential setting recognized
 18 by the State. This paragraph shall not be construed
 19 as changing the amount of payment made under this
 20 part for diabetic testing supplies, but only as author-
 21 izing delivery of such supplies to individuals through
 22 retail 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.