

107TH CONGRESS
1ST SESSION

H. R. 3246

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of oral drugs to reduce serum phosphate levels in patients with end-stage renal disease.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2001

Mr. GREENWOOD (for himself, Mr. LEWIS of Georgia, Mr. CARDIN, Mr. TOM DAVIS of Virginia, Mr. BUYER, Mr. BARTON of Texas, Mr. DEAL of Georgia, Mr. BOUCHER, Mr. WHITFIELD, and Mr. COLLINS) 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 oral drugs to reduce serum phosphate levels in patients with end-stage renal disease.

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. MEDICARE COVERAGE OF ORAL PHOSPHATE**
2 **BINDING DRUGS FOR INDIVIDUALS WITH**
3 **END STAGE RENAL DISEASE.**

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

6 (1) in subparagraph (U), by striking “and” at
7 the end;

8 (2) in subparagraph (V), by inserting “and” at
9 the end; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(W) an oral drug that—

13 “(i) is approved by the Food and Drug Ad-
14 ministration;

15 “(ii) may be dispensed only upon a pre-
16 scription; and

17 “(iii) is prescribed for use in a regimen to
18 treat an individual with end stage renal disease
19 for the purpose of reducing serum phosphate
20 levels;”.

21 (b) **EFFECTIVE DATE.**—The amendments made by
22 subsection (a) shall apply to drugs furnished on or after
23 the date that is 90 days after the date of enactment of
24 this Act.

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