

107TH CONGRESS
1ST SESSION

S. 1304

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 dialysis patients with end-stage renal disease.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2001

Mr. KERRY 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 provide for coverage under the medicare program of oral drugs to reduce serum phosphate levels in dialysis 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,*

3 **SECTION 1. MEDICARE COVERAGE OF ORAL DRUGS TO RE-**
4 **DUCE SERUM PHOSPHATE LEVELS IN DIALY-**
5 **SIS PATIENTS WITH END-STAGE RENAL DIS-**
6 **EASE.**

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

1 105(a) of the Medicare, Medicaid, and SCHIP Benefits
2 Improvement and Protection Act of 2000 (114 Stat.
3 2763A–471), as enacted into law by section 1(a)(6) of
4 Public Law 106–554, is amended—

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

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

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

11 “(W) an oral drug that—

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

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

16 “(iii) is furnished to a dialysis patient with
17 end-stage renal disease to prevent dietary sub-
18 stances from being absorbed into the blood-
19 stream which are harmful and are not ade-
20 quately removed by dialysis;”.

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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