

112TH CONGRESS
1ST SESSION

H. RES. 152

Recognizing the life-saving role of ostomy care and prosthetics in the daily lives of hundreds of thousands of people in the United States.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2011

Mr. LANCE (for himself and Mr. HOLT) submitted the following resolution; 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

RESOLUTION

Recognizing the life-saving role of ostomy care and prosthetics in the daily lives of hundreds of thousands of people in the United States.

Whereas over 700,000 people in the United States, from young children to senior citizens, have an ostomy, a surgical procedure that creates an artificial opening in the abdomen to the intestines or urinary system to allow for the elimination of bodily wastes;

Whereas an ostomy procedure is essential to many patients who suffer on a daily basis from Crohn's disease, ulcerative colitis, birth defects, serious, chronic, or life-threatening traumatic injury to the abdomen, illnesses and con-

ditions, such as colorectal or bladder cancer, or other intestinal or urinary medical conditions;

Whereas active duty military personnel wounded in battle often receive an ostomy as a result of penetrating colorectal injuries;

Whereas following ostomy surgery, patients need specially selected medical prosthetics to manage, temporarily or permanently restore intestinal or urinary system function, re-establish activities of daily living, improve quality of life; and require access to uniquely skilled ostomy specialty nurses who recommend and customize ostomy products for patients;

Whereas ostomy products are prosthetic devices prescribed by health care providers and meet the definition of prosthetics under the Medicare program;

Whereas, however, ostomy products are reimbursed under the Medicare program as medical supplies and not as prosthetics;

Whereas there is a significant inconsistency under the Medicare program between the coverage category of, and reimbursement policy for, ostomy products;

Whereas the Federal law does not require coverage of prosthetics, including ostomy products, under the Medicaid program;

Whereas Medicare's inconsistent policy and reimbursement approach to ostomy products and Medicaid's inadequate coverage and reimbursement for ostomy products could affect access for patients in need;

Whereas ostomy products are customized to the clinical needs of individual patients and are not the same as other eas-

ily interchangeable medical supplies such as gauze and bandages;

Whereas Congress previously has recognized the physical, psychological, and emotional importance of restoring function and improving the quality of life through supporting access to and coverage of prostheses;

Whereas ongoing advances and innovation in ostomy prosthetics technology can dramatically improve the lives of those who undergo ostomy surgery by helping to normalize their intestinal or urinary system function, by improving physical well-being, and often by enabling them to rejoin the workforce; and

Whereas House of Representatives recognizes the importance of encouraging and facilitating the development and use of new medical technologies: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) recognizes the life-saving role of ostomy
3 care and prosthetics in the daily lives of hundreds of
4 thousands of people in the United States and the ne-
5 cessity of a specialized ostomy nurse to recommend
6 and customize ostomy prosthesis for the individual;

7 (2) recognizes if a surgical procedure results in
8 a patient needing a prosthetic that manages or re-
9 stores intestinal or urinary system function—specifi-
10 cally the control of the elimination of the body’s
11 waste products, then such a patient should have ac-
12 cess to individually prescribed, customized pros-

1 thetics that the health care provider believes will
2 best meet the patient’s needs;

3 (3) urges that ostomy products be recognized,
4 categorized, covered, and adequately reimbursed by
5 Medicare in a new payment category of “prosthetic
6 supplies” consistent with Medicare’s current recogni-
7 tion of ostomy products as prosthetics in order to
8 allow appropriate patient access; and

9 (4) urges the Secretary of Health and Human
10 Services to ensure that programs, policies, and pay-
11 ment practices of the Department of Health and
12 Human Services facilitate, and do not discourage,
13 innovation of and access to medical devices that re-
14 store or improve intestinal or urinary system func-
15 tion of individuals in the United States with an
16 ostomy.

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