

112TH CONGRESS  
2D SESSION

# S. 3496

To amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Mr. COCHRAN (for himself and Mr. WICKER) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to permit direct payment to pharmacies for certain compounded drugs that are prepared by the pharmacies for a specific beneficiary for use through an implanted infusion pump.

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 DIRECT PAYMENT TO PHARMACIES**  
2 **FOR CERTAIN COMPOUNDED DRUGS THAT**  
3 **ARE PREPARED BY THE PHARMACIES FOR A**  
4 **SPECIFIC BENEFICIARY FOR USE THROUGH**  
5 **AN IMPLANTED INFUSION PUMP.**

6 (a) **IN GENERAL.**—The first sentence of section  
7 1842(b)(6) of the Social Security Act (42 U.S.C.  
8 1395u(b)(6)) is amended—

9 (1) by striking “and” before “(H)”; and

10 (2) by inserting before the period at the end the  
11 following: “, and (I) in the case of covered com-  
12 pounded drugs that are prepared by a pharmacy for  
13 a specific individual, are dispensed, directly or indi-  
14 rectly, to the individual, are necessary for the effec-  
15 tive use of, or therapeutic benefit from, an im-  
16 planted infusion pump (regardless who refills the  
17 pump), and are billed directly by the pharmacy, pay-  
18 ment shall be made to the pharmacy”.

19 (b) **EFFECTIVE DATE.**—The amendments made by  
20 subsection (a) shall apply to drugs dispensed on or after  
21 the date of the enactment of this Act.

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