To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2015

Mr. GRASSLEY (for himself, Mr. CASEY, Mr. KIRK, and Mr. BROWN) 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 pharmacist services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pharmacy and Medically Underserved Areas Enhancement Act”.

SEC. 2. MEDICARE COVERAGE OF PHARMACIST SERVICES.

(a) COVERAGE.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—
(1) by striking “and” at the end of subparagraph (EE);

(2) by adding “and” at the end of subparagraph (FF); and

(3) by inserting after subparagraph (FF) the following new subparagraph:

“(GG) pharmacist services furnished by a pharmacist, as licensed by State law, individually or on behalf of a pharmacy provider—

“(i) which the pharmacist is legally authorized to perform in the State in which the individual performs such services;

“(ii) as would otherwise be covered under this part if furnished by a physician, or as an incident to a physician’s service; and

“(iii) in a setting located in a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act), medically underserved area, or medically underserved population (as defined in section 330(b)(3) of such Act);”.

(b) PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—
(1) by striking “and (Z)” and inserting “(Z)”;
and
(2) by inserting before the semicolon at the end
the following: “, and (AA) with respect to phar-
macist services (as defined in section
1861(s)(2)(GG)), the amounts paid shall be equal to
80 percent of the lesser of the actual charge or 85
percent of the fee schedule amount provided under
section 1848 if such services had been furnished by
a physician”.

(c) EFFECTIVE DATE; PHARMACIST SPECIFIC
CODES.—

(1) EFFECTIVE DATE.—The amendments made
by subsections (a) and (b) shall apply with respect
to services furnished on or after January 1, 2016.

(2) PHARMACIST SPECIFIC CODES.—The Sec-
retary of Health and Human Services shall develop
pharmacist specific codes, as necessary, under the
physician fee schedule under section 1848 of the So-