

113TH CONGRESS
2D SESSION

H. R. 4190

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2014

Mr. GUTHRIE (for himself, Mr. BUTTERFIELD, and Mr. YOUNG of Indiana) 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 pharmacist services.

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 PHARMACIST SERV-**
4 **ICES.**

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

7 (1) by striking “and” at the end of subpara-
8 graph (EE);

1 (2) by adding “and” at the end of subpara-
2 graph (FF); and

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

5 “(GG) pharmacist services furnished by a
6 pharmacist, as licensed by State law, individ-
7 ually or on behalf of a pharmacy provider—

8 “(i) which the pharmacist is legally
9 authorized to perform in the State in
10 which the individual performs such serv-
11 ices;

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

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

22 (b) PAYMENT.—Section 1833(a)(1) of the Social Se-
23 curity Act (42 U.S.C. 1395l(a)(1)) is amended—

24 (1) by striking “and (Z)” and inserting “(Z)”;

25 and

1 (2) by inserting before the semicolon at the end
2 the following: “(AA) with respect to pharmacist
3 services (as defined in section 1861(s)(2)(GG)), the
4 amounts paid shall be equal to 80 percent of the
5 lesser of the actual charge or 85 percent of the fee
6 schedule amount provided under section 1848 if
7 such services had been furnished by a physician”.

8 (c) EFFECTIVE DATE; PHARMACIST SPECIFIC
9 CODES.—

10 (1) EFFECTIVE DATE.—The amendments made
11 by subsections (a) and (b) shall apply with respect
12 to services furnished on or after January 1, 2015.

13 (2) PHARMACIST SPECIFIC CODES.—The Sec-
14 retary of Health and Human Services shall develop
15 pharmacist specific codes, as necessary, under the
16 physician fee schedule under section 1848 of the So-
17 cial Security Act (42 U.S.C. 1395w-4).

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