

114TH CONGRESS  
1ST SESSION

# H. R. 592

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2015

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

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## 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. SHORT TITLE.**

4 This Act may be cited as the “Pharmacy and Medi-  
5 cally Underserved Areas Enhancement Act”.

6 **SEC. 2. MEDICARE COVERAGE OF PHARMACIST SERVICES.**

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

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

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

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

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

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

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

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

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

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

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

11          (c) EFFECTIVE DATE; PHARMACIST SPECIFIC  
12          CODES.—

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

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

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