

104TH CONGRESS
2D SESSION

H. R. 3262

To amend title XVIII of the Social Security Act to expand coverage under part B of the Medicare program of certain antibiotics which are parenterally administered in a home setting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. GREENE of Utah introduced the following bill; which was referred to the Committee on 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 expand coverage under part B of the Medicare program of certain antibiotics which are parenterally administered in a home setting, and for other purposes.

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 “Common Sense Medi-
5 care Antibiotic Coverage Act of 1996”.

1 **SEC. 2. EXPANDED MEDICARE COVERAGE OF ANTIBIOTICS**
2 **ADMINISTERED PARENTERALLY IN HOME**
3 **SETTING.**

4 (a) IN GENERAL.—Section 1861(n) of the Social Se-
5 curity Act (42 U.S.C. 1395x(n)) is amended—

6 (1) in the first sentence, by inserting “an anti-
7 biotic described in paragraph (2),” after “hospital
8 beds,”;

9 (2) by striking “(n)” and inserting “(n)(1)”;
10 and

11 (3) by adding at the end the following new
12 paragraph:

13 “(2) An antibiotic described in this paragraph is any
14 of the following antibiotics which is administered
15 parenterally, using an access device that is inserted into
16 the body:

17 “(A) Vancomycin.

18 “(B) Cefazolin.

19 “(C) Ceftriaxone.

20 “(D) Ceftazidime.

21 “(E) Any other antibiotic which the Secretary
22 (in consultation with experts in the field of infec-
23 tious diseases) considers appropriate for purposes of
24 this subsection, taking into account medical neces-
25 sity and the extent to which coverage of the anti-

1 biotic under this subsection would result in savings
2 to the program under this title.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 subsection (a) shall apply to antibiotics furnished on or
5 after January 1, 1997.

6 **SEC. 3. EFFECTS OF COVERAGE ON OVERALL EXPENDI-**
7 **TURES UNDER MEDICARE PROGRAM.**

8 (a) REPORT ON ADJUSTMENTS TO PAYMENTS.—Not
9 later than April 1, 1997, the Secretary of Health and
10 Human Services shall make recommendations to Congress
11 concerning appropriate adjustments to the payment
12 amounts provided for items and services under title XVIII
13 of the Social Security Act to take into account the reduced
14 costs to individuals and entities providing such items and
15 services resulting from the coverage under part B of the
16 medicare program of certain antibiotics as items of dura-
17 ble medical equipment under section 1861(n) of the such
18 Act (as amended by section 2(a)).

19 (b) REQUIRING BUDGET-NEUTRALITY IN IMPLEMEN-
20 TATION OF COVERAGE.—The Secretary of Health and
21 Human Services shall adjust payment amounts provided
22 for items and services under title XVIII of the Social Se-
23 curity Act in such manner as the Secretary considers ap-
24 propriate to ensure that aggregate payments under such
25 title in any fiscal year are not greater or less than those

1 that would have been made in the year had section 2(a)
2 not been enacted into law.

3 **SEC. 4. REPORT ON COVERAGE OF ADDITIONAL ANTI-**
4 **BIOTICS.**

5 Not later than 1 year after the date of the enactment
6 of this Act, the Secretary of Health and Human Services
7 shall submit a report to Congress describing the additional
8 antibiotics to be treated as items of durable medical equip-
9 ment pursuant to section 1861(n)(2)(E) of the Social Se-
10 curity Act (as added by section 2(a)).

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