

113TH CONGRESS  
1ST SESSION

# H. R. 1024

To amend title XVIII of the Social Security Act to provide part D eligible individuals with single chronic diseases access to services under medication therapy management programs under the Medicare part D prescription drug program.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2013

Mrs. MCMORRIS RODGERS 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 part D eligible individuals with single chronic diseases access to services under medication therapy management programs under the Medicare part D prescription drug program.

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 “Medication Therapy  
5 Management Empowerment Act of 2013”.

1 **SEC. 2. ACCESS TO SERVICES UNDER MEDICATION THER-**  
2 **APY MANAGEMENT PROGRAMS FOR MEDI-**  
3 **CARE PART D ELIGIBLE INDIVIDUALS WITH**  
4 **SINGLE CHRONIC DISEASES.**

5 Section 1860D–4(c)(2)(A) of the Social Security Act  
6 (42 U.S.C. 1395w–104(c)(2)(A)) is amended—

7 (1) in clause (ii), by striking subclause (I) and  
8 inserting the following:

9 “(I) have—

10 “(aa) multiple chronic dis-  
11 eases (such as diabetes, asthma,  
12 hypertension, hyperlipidemia, and  
13 congestive heart failure); or

14 “(bb) subject to clause (iii),  
15 any single chronic disease, in-  
16 cluding diabetes, hypertension,  
17 heart failure, dyslipidemia, res-  
18 piratory disease (such as asthma,  
19 chronic obstructive pulmonary  
20 disease or chronic lung disorder),  
21 bone disease-arthritis (such as  
22 osteoporosis or osteoarthritis),  
23 rheumatoid arthritis, or mental  
24 health disorder (such as depres-  
25 sion, schizophrenia, or bipolar  
26 disorder).”; and

1 (2) by adding at the end the following:

2 “(iii) DETERMINATIONS RELATING TO  
3 PROGRAM COSTS FOR INCLUDING INDIVID-  
4 UALS WITH SINGLE CHRONIC DISEASES.—

5 “(I) INITIAL DETERMINA-  
6 TIONS.—With regard to any single  
7 chronic disease, clause (ii)(I)(bb) shall  
8 only be applied if the Chief Actuary  
9 for the Centers for Medicare & Med-  
10 icaid Services determines that the ap-  
11 plication of such clause with regard to  
12 such disease is not projected to in-  
13 crease overall costs to the Medicare  
14 program under this title over the five  
15 year period beginning on the date of  
16 determination.

17 “(II) REVIEW OF DETERMINA-  
18 TIONS.—In the case that clause  
19 (ii)(I)(bb) is applied with respect to a  
20 single chronic disease pursuant to a  
21 determination under subclause (I), not  
22 later than five years after such date of  
23 determination, the Chief Actuary for  
24 the Centers for Medicare & Medicaid  
25 Services shall review the effect of the

1 application of such clause with respect  
2 to such disease on the actual cost of  
3 the Medicare program under this title  
4 during such five years. Based on such  
5 review, if the Chief Actuary is unable  
6 to determine that, with regard to such  
7 single chronic disease, the application  
8 of such clause did not increase costs  
9 to the Federal government under the  
10 Medicare program under this title  
11 over such period, then the Secretary  
12 shall review the findings of the Chief  
13 Actuary and determine whether such  
14 clause shall continue to be applied  
15 with regard to such single chronic dis-  
16 ease. In conducting such review and  
17 making such determination, the Sec-  
18 retary shall consider the extent to  
19 which the application of such clause  
20 with regard to such single chronic dis-  
21 ease effects the health outcomes of  
22 part D eligible individuals and any  
23 savings and costs to the Federal gov-

1 ernment under the Medicare program  
2 under this title.”.

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