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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

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

Mr. BUTTERFIELD introduced the following bill; which was referred to the Committee on _____

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 (GG);

3 (2) by striking the period at the end and insert-
4 ing “; and” at the end of subparagraph (HH); and

5 (3) by inserting after subparagraph (HH) the
6 following new subparagraph at the end:

7 “(II) 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 (BB)” and inserting
2 “(BB)”; and

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

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

12 (1) EFFECTIVE DATE.—The amendments made
13 by subsections (a) and (b) shall apply with respect
14 to services furnished on or after January 1, 2022.

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