AMENDMENT NO.  Calendar No.

Purpose: To provide for a study on issues relating to access to intravenous immune globulin (IVIG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVIG in the home.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

H. R. 3590

To amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

Referred to the Committee on 

and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. KERRY to the amendment (No. 2786) proposed by Mr. REID

Viz:

1 At the appropriate place, insert the following:

2 SEC. MEDICARE PATIENT IVIG ACCESS DEMONSTRATION PROJECT.

3 (a) ESTABLISHMENT.—The Secretary shall establish

4 and implement a demonstration project under title XVIII

5 of the Social Security Act to evaluate the benefits of pro-
viding payment for items and services needed for the admin-
istration, within the homes of Medicare beneficiaries, of intravenous immune globin for the treatment of primary immune deficiency diseases.

(b) DURATION AND SCOPE.—

(1) DURATION.—Beginning not later than January 1, 2011, the Secretary shall conduct the demonstration project for a period of 3 years.

(2) SCOPE.—The Secretary shall enroll not greater than 4,000 Medicare beneficiaries who have been diagnosed with primary immunodeficiency disease for participation in the demonstration project. A Medicare beneficiary may participate in the demonstration project on a voluntary basis and may terminate participation at any time.

(c) REIMBURSEMENT.—The Secretary shall establish an hourly rate for payment for items and services needed for the administration of intravenous immune globin based on the low-utilization payment adjustment under the prospective payment system for home health services established under section 1895 of the Social Security Act (42 U.S.C. 1395fff).

(d) STUDY AND REPORT TO CONGRESS.—

(1) INTERIM EVALUATION AND REPORT.—Not later than 24 months after the date of enactment of
this Act, the Secretary shall submit to Congress a report that contains the following:

(A) An interim evaluation of the impact of the demonstration project on access for Medicare beneficiaries to items and services needed for the administration of intravenous immune globin within the home.

(B) An analysis of the appropriateness of implementing a new methodology for payment for intravenous immune globulins in all care settings under part B of title XVIII of the Social Security Act (42 U.S.C. 1395k et seq.).

(C) An analysis of the feasibility of reducing the lag time with respect to data used to determine the average sales price under section 1847A of the Social Security Act (42 U.S.C. 1395w-3a).

(D) An update to the report entitled “Analysis of Supply, Distribution, Demand, and Access Issues Associated with Immune Globulin Intravenous (IGIV)”, issued in February 2007 by the Office of the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services.
(2) Final evaluation and report.—Not later than July 1, 2014, the Secretary shall submit to Congress a report that contains a final evaluation of the impact of the demonstration project on access for Medicare beneficiaries to items and services needed for the administration of intravenous immune globin within the home.

(e) Offset.—

(1) In general.—Section 1861(n) of the Social Security Act (42 U.S.C. 1395x(n)) is amended by adding at the end the following: “Such term includes disposable drug delivery systems, including elastomeric infusion pumps, for the treatment of colorectal cancer.”

(2) Effective date.—The amendment made by paragraph (1) shall apply to items furnished on or after the date of enactment of this Act.

(f) Definitions.—In this section:

(1) Demonstration project.—The term “demonstration project” means the demonstration project conducted under this section.

(2) Medicare beneficiary.—The term “Medicare beneficiary” means an individual who is entitled to, or enrolled for, benefits under part A of
1 title XVIII of the Social Security Act or enrolled for
2 benefits under part B of such title.
3 (3) SECRETARY.—The term "Secretary" means
4 the Secretary of Health and Human Services.