

S 3920

Medicare Durable Medical Equipment Access Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Sep 21, 2006

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Sep 21, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/3920>

Sponsor

Name: Sen. Hatch, Orrin G. [R-UT]

Party: Republican • State: UT • Chamber: Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Conrad, Kent [D-ND]	D · ND		Sep 21, 2006
Sen. Coleman, Norm [R-MN]	R · MN		Nov 13, 2006
Sen. Cochran, Thad [R-MS]	R · MS		Dec 5, 2006

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Sep 21, 2006

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
109 HR 3559	Identical bill	Aug 5, 2005: Referred to the Subcommittee on Health.

Medicare Durable Medical Equipment Access Act of 2005 - Amends title XVIII (Medicare) of the Social Security Act to prohibit the Secretary of Health and Human Services from awarding any contracts under the competitive durable medical equipment items and services acquisition program unless: (1) the quality standards have been implemented; and (2) the Secretary has received advice from the program oversight committee.

Requires the Secretary (who currently is authorized), in carrying out competitive acquisition programs, to exempt: (1) rural areas and areas with low population density within urban areas that are not competitive, unless there is a significant national market through mail order for a particular item or service; and (2) items and services for which the application of competitive acquisition is not likely to result in significant savings. Adds to such exemptions smaller metropolitan statistical areas.

Modifies requirements for the protection of small suppliers in bidding and contracting. Requires the Secretary to permit suppliers classified as small businesses to continue to participate as suppliers at the selected award price so long as they submit bids at less than the fee schedule amount otherwise applicable to the items and they otherwise comply with applicable program requirements.

Provides for appeal rights (currently denied).

Requires the Secretary to exempt from competitive acquisition requirements items and services for which the application of competitive acquisition is not likely to result in significant savings of at least 10%.

Prohibits the Secretary from implementing a program with respect to an item or service unless the Secretary demonstrates a probability of achieving significant savings of at least 10%, compared to the fee schedule in effect on January 1, 2006, by including the item or service in the program.

Prohibits the Secretary from implementing certain requirements for the payment basis for covered items furnished after January 1, 2009, with respect to the application of rates in an area that is not a competitive acquisition area, unless the Secretary has completed and published in the Federal Register a comparability analysis to ensure the application is appropriate. Requires application of the comparability analysis requirement to certain other part B items and services.

Actions Timeline

- **Sep 21, 2006:** Introduced in Senate
- **Sep 21, 2006:** Sponsor introductory remarks on measure. (CR S9899-9900)
- **Sep 21, 2006:** Read twice and referred to the Committee on Finance.