

S 2736

Patient Access to Durable Medical Equipment Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Mar 17, 2016

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Jun 29, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2736>

Sponsor

Name: Sen. Thune, John [R-SD]

Party: Republican • **State:** SD • **Chamber:** Senate

Cosponsors (35 total)

| Cosponsor | Party / State | Role | Date Joined |
|-----------------------------------|----------------------|-------------|--------------------|
| Sen. Barrasso, John [R-WY] | R · WY | | Mar 17, 2016 |
| Sen. Bennet, Michael F. [D-CO] | D · CO | | Mar 17, 2016 |
| Sen. Capito, Shelley Moore [R-WV] | R · WV | | Mar 17, 2016 |
| Sen. Cochran, Thad [R-MS] | R · MS | | Mar 17, 2016 |
| Sen. Crapo, Mike [R-ID] | R · ID | | Mar 17, 2016 |
| Sen. Daines, Steve [R-MT] | R · MT | | Mar 17, 2016 |
| Sen. Ernst, Joni [R-IA] | R · IA | | Mar 17, 2016 |
| Sen. Grassley, Chuck [R-IA] | R · IA | | Mar 17, 2016 |
| Sen. Heitkamp, Heidi [D-ND] | D · ND | | Mar 17, 2016 |
| Sen. Hirono, Mazie K. [D-HI] | D · HI | | Mar 17, 2016 |
| Sen. King, Angus S., Jr. [I-ME] | I · ME | | Mar 17, 2016 |
| Sen. Manchin, Joe, III [D-WV] | D · WV | | Mar 17, 2016 |
| Sen. Roberts, Pat [R-KS] | R · KS | | Mar 17, 2016 |
| Sen. Rounds, Mike [R-SD] | R · SD | | Mar 17, 2016 |
| Sen. Tester, Jon [D-MT] | D · MT | | Mar 17, 2016 |
| Sen. Lankford, James [R-OK] | R · OK | | Apr 6, 2016 |
| Sen. Stabenow, Debbie [D-MI] | D · MI | | Apr 6, 2016 |
| Sen. Gardner, Cory [R-CO] | R · CO | | Apr 7, 2016 |
| Sen. Portman, Rob [R-OH] | R · OH | | Apr 13, 2016 |
| Sen. Schumer, Charles E. [D-NY] | D · NY | | Apr 20, 2016 |
| Sen. Collins, Susan M. [R-ME] | R · ME | | Apr 27, 2016 |
| Sen. Kaine, Tim [D-VA] | D · VA | | Apr 28, 2016 |
| Sen. Warner, Mark R. [D-VA] | D · VA | | Apr 28, 2016 |
| Sen. Hoeven, John [R-ND] | R · ND | | May 12, 2016 |
| Sen. Moran, Jerry [R-KS] | R · KS | | May 12, 2016 |
| Sen. Blunt, Roy [R-MO] | R · MO | | May 16, 2016 |
| Sen. Donnelly, Joe [D-IN] | D · IN | | May 16, 2016 |
| Sen. Baldwin, Tammy [D-WI] | D · WI | | May 25, 2016 |
| Sen. Kirk, Mark Steven [R-IL] | R · IL | | May 26, 2016 |
| Sen. Enzi, Michael B. [R-WY] | R · WY | | Jun 13, 2016 |
| Sen. Paul, Rand [R-KY] | R · KY | | Jun 13, 2016 |
| Sen. Schatz, Brian [D-HI] | D · HI | | Jun 13, 2016 |
| Sen. Burr, Richard [R-NC] | R · NC | | Jun 15, 2016 |
| Sen. Wicker, Roger F. [R-MS] | R · MS | | Jun 16, 2016 |
| Sen. Johnson, Ron [R-WI] | R · WI | | Jun 20, 2016 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------|----------------|-----------------|--------------|
| Energy and Commerce Committee | House | Referred To | Jun 22, 2016 |
| Finance Committee | Senate | Discharged From | Jun 21, 2016 |
| Ways and Means Committee | House | Referred to | Jun 29, 2016 |

Subjects & Policy Tags

Policy Area:

Health

Related Bills

| Bill | Relationship | Last Action |
|-------------|--------------|---|
| 114 HR 5210 | Related bill | Jul 6, 2016: Received in the Senate and Read twice and referred to the Committee on Finance. |

Summary (as of Jun 21, 2016)

Patient Access to Durable Medical Equipment Act of 2016

(Sec. 2) This bill amends title XVIII (Medicare) of the Social Security Act to delay by one year the full implementation of new Medicare payment rates for durable medical equipment (such as wheelchairs).

(Sec. 3) In addition, the bill specifies that the bid ceiling for durable medical equipment items under Medicare's competitive acquisition program (through which rates are set according to a bidding process rather than by an established fee schedule) shall not be less than the fee schedule amount that would otherwise be determined for those items.

(Sec. 4) Under current law, the Centers for Medicare & Medicaid Services (CMS) must use payment information from competitive acquisition programs to make payment adjustments for durable medical equipment items furnished in areas outside of such programs. Current law also allows, but does not require, CMS to make such adjustments with respect to certain orthotics (such as splints and braces) and parenteral and enteral nutrients, equipment, and supplies (such as feeding tubes). The bill requires CMS, in making these adjustments, to account for stakeholder input. In addition, CMS must account for a comparison of competitive acquisition areas and other areas with respect to the following factors:

- average travel distance and cost associated with furnishing items and services,
- barriers to access,
- average delivery time,
- average volume of items and services furnished by suppliers, and
- number of suppliers.

(Sec. 5) In four quarterly reports, CMS must publish on its website the results of the monitoring of health outcomes and Medicare beneficiaries' access to durable medical equipment.

(Sec. 6) The bill accelerates the applicability, from January 1, 2019, to October 1, 2018, of provisions of current law that limit federal Medicaid reimbursement to states for durable medical equipment to Medicare payment rates.

Actions Timeline

- **Jun 29, 2016:** Referred to the Subcommittee on Health.
- **Jun 21, 2016:** Senate Committee on Finance discharged by Unanimous Consent.(consideration: CR S4429-4430)
- **Jun 21, 2016:** Senate Committee on Finance discharged by Unanimous Consent. (consideration: CR S4429-4430)
- **Jun 21, 2016:** Measure laid before Senate by unanimous consent.
- **Jun 21, 2016:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.
- **Jun 21, 2016:** Passed Senate with an amendment by Voice Vote.
- **Jun 21, 2016:** Received in the House.
- **Jun 21, 2016:** Message on Senate action sent to the House.
- **Jun 21, 2016:** 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.
- **Mar 17, 2016:** Introduced in Senate
- **Mar 17, 2016:** Read twice and referred to the Committee on Finance.