

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4185

To amend title XVIII of the Social Security Act to pay for parenteral nutrients provided as part of renal dialysis services as part of payment for renal dialysis services under the Medicare program.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1996

Mr. STARK introduced the following bill; which was referred to the Committee on 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 pay for parenteral nutrients provided as part of renal dialysis services as part of payment for renal dialysis services under the Medicare 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 “Medicare Intradialytic  
5       Parenteral Nutrient Act of 1996”.

1 **SEC. 2. INTRADIALYTIC PARENTERAL NUTRIENTS REIM-**  
2 **BURSED UNDER COVERAGE FOR RENAL DI-**  
3 **ALYSIS SERVICES UNDER MEDICARE.**

4 (a) IN GENERAL.—Section 1881(b)(11) of the Social  
5 Security Act (42 U.S.C. 1395rr(b)(11)) is amended by  
6 adding at the end the following:

7 “(D)(i) Intradialytic parenteral nutrients (including  
8 related services, supplies and equipment), when provided  
9 to a patient determined to have end stage renal disease,  
10 shall not be included as a dialysis service for purposes of  
11 payment under any prospective payment amount or com-  
12 prehensive fee established under this section, and payment  
13 for such item shall be made separately—

14 “(I) in the case of such nutrients provided by  
15 a physician, in accordance with section 1833; and

16 “(II) in the case of such nutrients provided by  
17 an entity other than a physician, an amount equal  
18 to 80 percent of an amount based on the lesser of  
19 the best price available for such nutrients or the  
20 arms-length acquisition cost of such nutrients plus  
21 an appropriate administration fee, as determined by  
22 the Secretary.

23 “(ii)(I) By not later than January 1, 1998, the Sec-  
24 retary, in consultation with medical experts, shall establish  
25 criteria to determine medically appropriate uses of such

1 nutrients when provided to a patient determined to have  
2 end stage renal disease.

3 “(II) No payment shall be made under this title for  
4 such nutrients on or after January 1, 1999, unless the  
5 use of such nutrients meets the criteria for medically ap-  
6 propriate uses established under subclause (I).

7 “(III) The Secretary, in consultation with medical ex-  
8 perts, shall review and modify such criteria as necessary  
9 when new relevant scientific data becomes available.”.

10 (b) EFFECTIVE DATE.—The amendment made by  
11 subsection (a) applies with respect to payments for  
12 intradialytic parenteral nutrients provided on or after Jan-  
13 uary 1, 1997.

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