



Summary

Consideration of *Medicare Part B Home Infusion Services Temporary Transitional Payment Act. (H.R. 3163)* Before House Energy & Commerce Subcommittee on Health Hearing

Compliments of NHIA Legal Counsel Crowell & Moring

Opening Statements

To open, Subcommittee on Health Chairman Michael C. Burgess, MD (R-TX) described the bipartisan nature by which the 11 bills being considered originated. He briefly walked through the contents of each bill individually, shedding positive light on *H.R. 3163*, the *Medicare Part B Home Infusion Services Temporary Transitional Payment Act*. Following Rep. Gus Bilirakis's (R-FL) comments on health care fraud in the Medicare program, Burgess turned to Subcommittee Ranking Member Gene Green (D-TX). Like the Chairman, he highlighted many, but not all, of the bills being considered by the committee. In his remarks, he noted the importance of the temporary service payment provided by *H.R. 3163*, emphasizing the need for a timing and payment change for home infusion services to ensure patient access to needed therapies prior to the implementation date of the *21st Century Cures* provision. Full Committee Chairman Greg Walden (R-OR) and Ranking Member Frank Pallone (D-NJ) also mentioned the importance of *H.R. 3163* in allowing seniors to receive vital care at home when possible; also noting lower costs associated with home infusion services.

Witness Testimony

National Home Infusion Association (NHIA) Board Chair Dr. Varner Richards, President, CEO of Intramed Plus, Inc., opened his remarks by describing the health care sector that NHIA represented and described the services it provides. He noted the purpose of infusion drugs and the disease states that oftentimes require the services of a home infusion provider. Dr. Richards turned to the issue at hand, DME coverage in the Medicare program with a focus on infusion drug and service coverage. He noted that prior to the passage of the *21st Century Cures Act*, drug, pump, and supplies were covered, though not infusion services. Under the *21st Century Cures Act*, Part B coverage changes occurred in two notable ways. First, reimbursement changed to Average Sales Price (ASP) to better align with physician reimbursement. Second, professional clinical services fees were added. He noted the four year gap in implementation, urging Congress to address the issue by passing the bill being considered, the *Medicare Part B Home Infusion Services Temporary Transitional Payment Act (HR 3163)*. In closing, Dr. Richards provided a succinct overview of the issue in the Medicare Part D program as well. Dr. Richards explained that Part D reimburses only for the drug and not for administration or infusion services or supplies.

Question and Answer

Rep. Brett Guthrie (R-KY) was the first member to turn to Dr. Richards. He voiced his support for the work currently in progress in the Senate Finance and the House Ways & Means Committees addressing home infusion issues. He admitted that the current bill before the committee may not include everything that

NHIA might want included, but asked Dr. Richards if the group believes the bill is sufficient. Dr. Richards agreed that the bill seized the opportunity to adopt a transitional payment and expressed his full support. Rep. Tim Murphy (R-PA) later asked the entire panel of witnesses whether they thought the bills they have been associated with adequately addressed care management and whether the improvements can justify the costs associated with the changes. When Dr. Richards was given the opportunity to respond, he stated that *H.R. 3163*, if passed, will provide improved access to vital home infusion services and ultimately lead to cost savings for patients that otherwise would need to seek more expensive sites of care.