



Time for Action on Part B Hurdles

By Michael F. Conlan

Don't look to federal bureaucrats to extend the Medicare Part B accreditation and surety bond cutoffs for pharmacists, as we believe they have the power to do. The Centers for Medicare & Medicaid Services has declined NCPA's request for an extension of the Oct. 1 deadline to obtain accreditation and surety bonds to continue to participate in the Medicare Part B DME program. Pharmacists will need a \$50,000 surety bond, even if they only want to dispense a Part B drug such as immunosuppressant and oral anticancer drugs. But, the accreditation requirement applies only to the provision of durable medical equipment, prosthetics, orthotics, and supplies.

With the potential for additional breathing room off the table, it is now even more urgent for NCPA members to contact their lawmakers and urge quick action. We have a good case, and appropriate legislative vehicles already have been introduced in both the Senate and House.

Our strongest argument is that community pharmacists are state-licensed. If quality of care or fraudulent behavior is an issue—which no one has suggested is the case with pharmacists—state pharmacy boards can pull the license and federal regulators can seek civil and criminal sanctions. We want Medicare to treat pharmacists the same way they treat more than a dozen other state-licensed health care professions that will be accredited under DME standards specific for their profession, rather than the more extensive standards that were developed for non-licensed DME providers.

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Gaining accreditation can cost from \$5,500 to \$7,000, plus \$500, annually. A great many pharmacies supplying low-margin but basic patient necessities, such as diabetes

testing supplies, will stop providing them. Even the surety bond requirement, while less onerous, will cause 25 percent of suppliers to drop out, according to Medicare's own estimates.

Is this any way to maintain patient access to trusted health care providers? Even worse from the government's prospective, patients could turn to using mail order and Internet operations where fraud is more prevalent. This undermines the primary purpose of accreditation and surety bonds.

That's why NCPA is urging Congress to promptly enact legislation exempting pharmacists from the accreditation and surety bond requirements. Reps. Marion Berry (D-Ark.) and Jerry Moran (R-Kan.) are the prime movers of accreditation parity legislation in the House. Their bill, H.R.616, currently has 84 bipartisan cosponsors. In the Senate, Sens. John Tester (D-Mont.) and Sam Brownback (R-Kan.) have introduced a companion bill, S.511, with 10 additional signed supporters.

On surety bonds, Tester has been joined by six bipartisan cosponsors. Their S.956 would waive the bond requirement. A similar House bill, H.R. 1970, was introduced by Reps. Zack Space (D-Ohio) and Jo Ann Emerson (R-Mo.) along with 21 cosponsors.

This whole issue is about patient access and pharmacist fairness. Go to the Advocacy section of our Web site (ncpanet.org) and see how easy it is for you to take action for your patients and profession today. 

Michael F. Conlan is editor of *America's Pharmacist*.