To amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pharmacy and Medically Underserved Areas Enhancement Act”.

SEC. 2. MEDICARE COVERAGE OF PHARMACIST SERVICES.

(a) COVERAGE.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—
(1) in subparagraph (II), by striking “and” at the end;

(2) in subparagraph (JJ), by inserting “and” at the end; and

(3) by adding at the end the following new subparagraph:

“(KK) pharmacist services furnished by a pharmacist, as licensed by State law, individually or on behalf of a pharmacy provider—

“(i) which the pharmacist is legally authorized to perform in the State in which the individual performs such services;

“(ii) as would otherwise be covered under this part if furnished by a physician, or as an incident to a physician’s service; and

“(iii) in a setting located in a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act), medically underserved area, or medically underserved population (as defined in section 330(b)(3) of such Act);”.

(b) PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(1) by striking “and (HH)” and inserting “(HH)”;

and
(2) by inserting before the semicolon at the end
the following: “, and (II) with respect to pharmacist
services (as defined in section 1861(s)(2)(KK)), the
amounts paid shall be equal to 80 percent of the
lesser of the actual charge or 85 percent of the fee
schedule amount provided under section 1848 if
such services had been furnished by a physician”.

(c) EFFECTIVE DATE; PHARMACIST SPECIFIC CODES.—

(1) EFFECTIVE DATE.—The amendments made
by subsections (a) and (b) shall apply with respect
to services furnished on or after January 1, 2024.

(2) PHARMACIST SPECIFIC CODES.—The Sec-
retary of Health and Human Services shall develop
pharmacist specific codes, as necessary, under the
physician fee schedule under section 1848 of the So-