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February 1, 2006

Mark B. McClellan, Administrator
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244-1850

Dear Administrator McClellan:


An issue of great importance was recently brought to my attention regarding many of the nation's 1.6 million nursing home residents that remain unaware or confused about how the new Medicare Part D program works. Although many seniors are able to either self enroll in the proper plan or seek assistance from trained professionals, millions of nursing home residents, many of whom suffer cognitive as well as physical impairments are less likely to understand the process. A typical nursing home resident is 84 years of age, suffers from eight different diseases and is on about nine different medications at any given time. Over half of all nursing home residents have some level of cognitive impairment.

Fortunately, nursing home care providers and pharmacists are knowledgeable about nursing home residents' medical needs and are legally responsible for their care. They could provide valuable advice and assistance to nursing home residents and their families, making it easier for them to choose the right plan.

Unfortunately, the Center for Medicare and Medicaid Services (CMS) has written rules that deny nursing home residents the opportunity to receive that help. Instead, they insist that nursing home staff and pharmacists must simply direct seniors to the Medicare website or the 1-800-MEDICARE phone number which offer information, but no recommendation as to the best plan for them. In my judgment, this needs to be changed. Nursing home care providers and pharmacists want to help, and they should be allowed to provide this necessary support.

CMS recognized the special and changing medical needs of nursing home residents when it gave them the right to switch drug plans monthly to ensure they are enrolled in the right plan. It also recognized those special needs when it guaranteed nursing residents access to specialized long-term care pharmacy services. Yet, in order to ensure proper and timely enrollment, CMS needs to allow these professionals to provide this assistance to nursing home residents.

Sincerely,


Jeb Bradley
Member of Congress