



Long Term Care Pharmacy Alliance

LTCPA Statement on the Medicare Prescription Drug Legislation

The United States Congress has passed historic legislation establishing a prescription drug benefit for Medicare beneficiaries. This legislation now awaits the president's signature.

Unlike previous versions of Medicare legislation that have been considered by Congress, this legislation takes a major step toward recognizing the needs of residents of nursing facilities; the oldest and frailest of all Medicare beneficiaries.

The conference agreement includes multiple provisions advanced by LTCPA to address nursing home residents' drug needs:

- **HHS Nursing Home Study:** The Secretary of Health and Human Services will conduct a thorough review of the current standards of nursing facility pharmaceutical care and to report on plans to implement the benefit for this population in a manner consistent with these standards. This is a very important step in assuring access to medically necessary prescription drug care for the residents we serve. We look forward to working closely with CMS to complete this study in a timely manner.
- **Help for the Needy:** Congress provides generous subsidies for low-income beneficiaries that will help seniors with high drug costs.
- **Access Provisions:** Additional improvements relate to access for long-term care pharmacy networks under the Medicare benefit and requirements for medication therapy management services.

A Step in the Right Direction

We are grateful to Congress for its recognition of the special needs of the nation's nursing home residents, however, some important issues remain to be addressed:

- **Access to Medically Necessary Drugs :** While the Medicare bill makes major strides in providing a solid basic benefit for the vast majority of Medicare beneficiaries, nursing home residents will need a more expansive array of medicines to accommodate their complex medical conditions. Under federal regulations, the nursing homes bear the final responsibility for providing appropriate care, including pharmacy services. We will work with Congress, CMS and the nursing home industry to find ways to best improve access and

manage costs. The professionals in long-term care pharmacy are among the nation's most experienced in managing complex drug regimens of the elderly. Collectively, we pledge our continued support as these issues are sorted out.

- **Risk Assumption:** Nursing home residents are poor candidates for a risk-based coverage model, as they consume the greatest amount of medicines in the Medicare population. Although the LTCPA supported retaining Medicaid as the primary provider of prescription drugs for dually-eligible residents of nursing facilities, we understand the fiscal constraints under which the conferees labored. We are taking a close look at the challenges inherent in this approach and will gladly share our findings with CMS and interested members of Congress.

We Are Ready to Work

As CMS works on implementation regulations for the Medicare drug benefit and conducts its review of its applicability to nursing home residents, we are actively offering our expertise in pharmaceutical care for the elderly to assure that nursing home residents get the best possible care under the new benefit.

We also intend to work with Congress as it monitors the progress of the benefit implementation and, where necessary, we will offer constructive alternatives that promote the highest level of quality in a cost-effective manner.