

Appropriations FY 2019 – Lymphedema Directives

Senate

Lymphedema directive included in the Senate FY 2019 Appropriations Committee Report:

“Lymphatic System Failure.— The Committee encourages the Secretary to promulgate rules for covering prescribed compression garments as acknowledged by CMS’ 2001 decision memorandum [CAG–00016N] in the treatment of lymphatic system failure.” (pg. 142¹)

House

Lymphedema directive included in the House FY 2019 Appropriations Committee Report:

“Lymphedema Compression Garments.— Nearly two million Medicare beneficiaries lack equal access to Lymphedema Compression Garments. The Department of Veterans Affairs and the TRICARE program provide coverage for compression garments used to treat lymphedema, as do 42 states and the District of Columbia as part of their Medicaid programs, yet the Medicare program does not provide access to these garments for Medicare beneficiaries. The Committee notes CMS decision memorandum (CAG–0016N) encourages patients to use compression garments to prevent re-accumulation of fluid. In order to ensure equal access to care and adherence to CMS’ recommendations, the Committee strongly encourages CMS to take necessary steps to ensure Medicare beneficiaries have access to Lymphedema Compression Garments. The Committee requests an update on this effort in the fiscal year 2020 Congressional Justification.” (pg. 93²)

Precedent

Congress took similar action by including the following provision in the FY2018 budget:

The Consolidated Appropriations Act of 2018 (HR 1625, P.L. 115-141): Durable Medical Equipment.— The agreement encourages CMS to promulgate the pending Interim Final Rule entitled "Durable Medical Equipment Fee Schedule, Adjustments to Resume the Transitional 50/50 Blended Rates to Provide Relief in Non-Competitive Bidding Areas."

¹ <https://www.appropriations.senate.gov/imo/media/doc/FY2019%20Labor-HHS%20Appropriations%20Act,%20Report%20115-289.pdf>

² https://appropriations.house.gov/uploadedfiles/labor_report.pdf