

Medicare Electronic Medication and Safety Protection (E-MEDS) Act of 2007

S. 2408; H.R. 4296

Legislative Summary

SPONSORS:

Senate: [Sen Kerry, John F.](#) [MA] (introduced 12/5/2007)

House: [Rep Schwartz, Allyson Y.](#) [PA-13] (introduced 12/5/2007)

CO-SPONSORS:

Senate:

[Sen Alexander, Lamar](#) [TN] - 2/5/2008 [Sen Bingaman, Jeff](#) [NM] - 12/7/2007
[Sen Coleman, Norm](#) [MN] - 12/7/2007 [Sen Ensign, John](#) [NV] - 12/5/2007
[Sen Martinez, Mel](#) [FL] - 12/5/2007 [Sen Nelson, Bill](#) [FL] - 12/7/2007
[Sen Snowe, Olympia J.](#) [ME] - 12/7/2007 [Sen Stabenow, Debbie](#) [MI] - 12/5/2007
[Sen Sununu, John E.](#) [NH] - 12/6/2007 [Sen Whitehouse, Sheldon](#) [RI] - 12/12/2007

House:

[Rep Allen, Thomas H.](#) [ME-1] - 12/11/2007 [Rep Altmire, Jason](#) [PA-4] - 1/22/2008
[Rep Baca, Joe](#) [CA-43] - 1/15/2008 [Rep Blumenauer, Earl](#) [OR-3] - 2/6/2008
[Rep Butterfield, G. K.](#) [NC-1] - 2/6/2008 [Rep Capps, Lois](#) [CA-23] - 12/5/2007
[Rep Cohen, Steve](#) [TN-9] - 12/11/2007 [Rep Crowley, Joseph](#) [NY-7] - 12/11/2007
[Rep Cummings, Elijah E.](#) [MD-7] - 1/15/2008 [Rep English, Phil](#) [PA-3] - 12/6/2007
[Rep Herger, Wally](#) [CA-2] - 12/11/2007 [Rep Kind, Ron](#) [WI-3] - 12/11/2007
[Rep Larson, John B.](#) [CT-1] - 1/28/2008 [Rep Murphy, Tim](#) [PA-18] - 2/6/2008
[Rep Payne, Donald M.](#) [NJ-10] - 2/6/2008 [Rep Porter, Jon C.](#) [NV-3] - 12/5/2007
[Rep Tauscher, Ellen O.](#) [CA-10] - 12/11/2007 [Rep Terry, Lee](#) [NE-2] - 2/7/2008
[Rep Wexler, Robert](#) [FL-19] - 1/28/2008

STATUS:

Senate:

12/5/2007: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR [S14789](#))

House:

12/5/2007: Introduced and Referred to the Committee on Energy and Commerce, and the Committee on Ways and Means,

SUMMARY:

Incentives For Use Of E-Prescribing Under Medicare.

The EMEDS bill provides a one time bonus for the use of ePrescribing for those physicians that meet a minimum threshold volume or proportion, specified by the Secretary, of

claims for physicians' services for Medicare beneficiaries. One time payments are higher for physicians who demonstrate their use of ePrescribing in earlier years:

- 2008 or 2009, \$2,000;
- 2010 or 2011, \$1,500; or
- 2012 or a subsequent year, \$1,000.

The bill also provides ongoing incentives for the use of ePrescribing by physicians under Medicare that prescribe at least a threshold volume, specified by the Secretary, of prescriptions under Medicare. Physicians would receive an additional 1% per claim for every prescription that was written using ePrescribing software, excluding controlled substances which cannot currently be prescribed electronically under the law.

Finally, for any physician not electronically prescribing by the year 2011, their reimbursement for such prescriptions would be reduced by 10% per claim.

The Secretary may waive these reductions for a period of one to two years for any physician demonstrating hardship or unforeseen circumstances.

Reports On E-Prescribing

Within two years after enactment, the Centers for Medicare & Medicaid Services will submit to Congress a report on progress on implementing e-prescribing under the Medicare electronic prescription drug program, including:

- (A) the percentage of Medicare physicians that utilize the electronic prescription drug program;
- (B) the estimated savings resulting from the use of e-prescribing; and
- (C) progress on reducing avoidable medical errors resulting from the use of e-prescribing.

Within two years of enactment, the Government Accountability Office will submit to Congress a report on the impact of implementation of such program on physicians. The report must describe factors influencing the adopting of e-prescribing by physicians and the impact of the Act on physicians practicing in individual or small group practices and in rural areas.