

April 24, 2020

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
Hubert H. Humphrey Building, Room 445–G
200 Independence Avenue, SW
Washington, DC 20201

Dear Administrator Verma:

The Endocrine Society is writing to request that the Centers for Medicare and Medicaid Services (CMS) cover a 90-day supply of diabetes test strips for Medicare and Medicaid beneficiaries. We appreciate the swift actions already taken by the agency to protect patients during the COVID-19 pandemic, such as expanding access to most prescription medications beyond a 30-day supply. CMS has not addressed nor expanded access to diabetes testing supplies; therefore, the Society urges you to cover a 90-day supply of diabetes test strips during the COVID-19 public health emergency to prevent vulnerable patients from unnecessary exposure to COVID-19.

The Endocrine Society is the world's largest professional organization of endocrinologists, representing the interests of over 18,000 physicians and scientists engaged in the treatment and research of endocrine disorders, including diabetes, cancer, obesity, osteoporosis, thyroid disease, and infertility. Our members continue to provide care to vulnerable patients with these complex, chronic conditions that place them at higher risk during this public health emergency.

Blood glucose self-testing equipment and supplies, like test strips, are covered as durable medical equipment (DME) for all people with Medicare Part B who have diabetes. Medicare will cover up to 100 test strips for 30 days for insulin-dependent beneficiaries. Patients with diabetes check their blood glucose at least once per day and those who are insulin-dependent are recommended to check their levels three times per day. Blood glucose control is even more significant when a patient is ill, as glucose levels are the first impacted by an illness. For these reasons, it is critical that beneficiaries have coverage for a 90-day supply of test strips during the current public health emergency so they can maintain good glucose control and reduce the risk of infection.

CMS like other private payers has extended access to Medicare Part B prescription medications beyond a 30-day supply on a case by case basis.¹ CMS has also introduced a number of regulatory flexibilities including COVID-19 "blanket" Section 1135 waivers to provide assistance to providers

¹ <https://www.cms.gov/files/document/03052020-medicare-covid-19-fact-sheet.pdf>



and ensure access to care for beneficiaries during the public health emergency.² The agency has waived the face-to-face visit and medical necessity requirements for replacement of Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) when the DMEPOS is “lost, destroyed, irreparably damaged, or otherwise rendered unusable or unavailable as a result of the emergency.” Furthermore, CMS is allowing Medicare payment for replacement prescription fills of covered Part B drugs in circumstances where dispensed medication has been lost or otherwise rendered unusable or unavailable due to the emergency. The Society believes that CMS should extend these flexibilities for high risk beneficiaries with diabetes by addressing the supply of diabetes test strips.

In a report titled “State Medicaid agencies can significantly reduce Medicaid costs for diabetes test strips,” the Office of Inspector General (OIG) explains how state Medicaid agencies are able to apply for and obtain a waiver from CMS to establish special procedures for the purchase of medical devices, such as diabetes test strips.³ Pursuant to section 1915(a)(1)(B) of the Social Security Act (the Act) and requirements established in 42 CFR § 431.51(d) and 42 CFR § 431.54(d), state Medicaid agencies may establish special procedures for the purchase of medical devices through a competitive bidding process or other process if the State assures that adequate services or devices are available to beneficiaries under the special procedures.⁴ Through blanket waivers and additional policy modifications, the Society believes CMS has the authority to cover a 90-day supply of test strips for Medicare and Medicaid beneficiaries.

We appreciate your consideration of this request and thank you for your leadership during the COVID-19 public health emergency. Should you have any further questions, please contact Mila Becker, JD, Chief Policy Officer at mbecker@endocrine.org.

Sincerely,

Gary D. Hammer, M.D., Ph.D.
President Endocrine Society

² <https://www.cms.gov/newsroom/press-releases/cms-takes-action-nationwide-aggressively-respond-coronavirus-national-emergency>

³ <https://oig.hhs.gov/oas/reports/region5/51300033.pdf>

⁴ 42 CFR § 431.51(d); 42 CFR § 431.54(d)