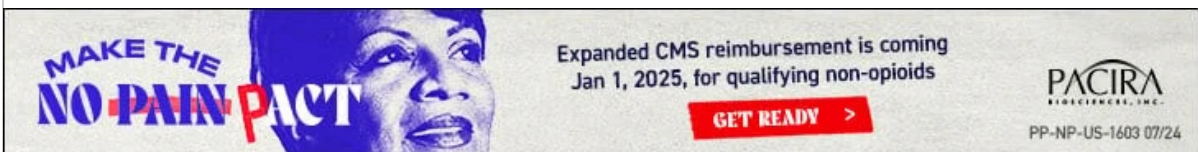


CMS Issues CY 2025 Physician Fee Schedule (PFS) Proposed Rule

On July 10, CMS unveiled the [Calendar Year \(CY\) 2025 Medicare Physician Fee Schedule Proposed Rule](#), which outlines proposed Medicare payments for professional services of physicians and other health care providers in private practice. Specifically, the proposed rule offers updates on CY 2025 payment policies and rates, the Medicare Prescription Drug Inflation Rebate Program, dental and oral health services, opioid treatment programs, telehealth services, and rural health clinics. Additionally, the PFS covers behavioral health services, and for the first time, proposes Medicare payment for digital mental health treatment devices. The agency proposes three new payment codes to reimburse physicians who prescribe FDA-approved digital therapies into patients' mental health treatment regimens. However, prescription digital therapeutics approved for conditions beyond the scope of mental and behavioral health are not covered under the proposed rule, leaving dozens of additional products without a clear avenue for reimbursement. AMCP is developing comments in response to the proposed rule and urges Members of Congress to continue their support for the Access to Prescription Digital Therapeutics (PDTs) Act ([S. 723/H.R. 1458](#)), which would provide coverage for a broader range of FDA-cleared digital therapeutic products prescribed by medical professionals.

[Call on your legislators](#) to support the Access to PDTs Act now.



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Expanded CMS reimbursement is coming
Jan 1, 2025, for qualifying non-opioids

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PP-NP-US-1603 07/24

AMCP Nexus 2024 Registration Now Open

From Monday, Oct. 14 to Thursday, Oct. 17, thousands of managed care pharmacists will travel to Las Vegas for the AMCP Nexus 2024 meeting. This year's Nexus meeting will feature several Continuing Pharmacy Education (CPE) sessions, pre-conference events, and keynotes highlighting legislative and regulatory issues affecting pharmacists nationwide. The Oct. 14 PreCon will cover two trending topics, Medicare Part D Redesign and efforts to reform Pharmacy Benefit Managers. Along with the Federal and State Legislative & Regulatory Update panels, additional CPE sessions will cover policies surrounding anti-obesity medications, as well as changes to the Medicare Part D benefit in 2025. Oct. 17 features a Keynote Session on the 2024 election and its impact on health

policy, which proves timely just one month ahead of the Nov. 5 general election. Registration to AMCP Nexus 2024 is now open for all AMCP members.

[Register](#) before Aug. 9 to receive the discounted early bird rate.

Save the Date: AMCP Legislative Days held from May 12–14, 2025

Mark your calendars for AMCP Legislative Days 2025, held from Monday, May 12, 2025 to Wednesday, May 14,



MAKE THE
NO PAIN PACT

Prepare your system
for new CMS
reimbursement
coming Jan 1, 2025

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2025 in Washington D.C. This event gathers dozens of managed care pharmacy advocates on Capitol Hill to meet with their Members of Congress and urge support for AMCP's legislative priorities. During Legislative Days 2024, AMCP advocates attended a total of 83 meetings, covering 25 states, 46 Senate offices, and 37 offices in the House of Representatives. Along with congressional meetings, AMCP Legislative Days will feature

networking receptions, advocacy and policy training, and the annual Capitol Dinner and Reception, in which congressional champions are awarded with the Achievement in Pharmacy Policy Award. Prior to the meetings, attendees will be provided with a Legislative Days booklet featuring talking points on AMCP's legislative priorities, tips for conducting Hill meetings, and other guidance on federal advocacy. Please stay tuned for additional registration information for AMCP Legislative Days 2025.

View the [AMCP Legislative Days 2024 booklet](#).

House Ways & Means Committee Marks Up Bills for Digital Therapeutics and Weight Loss Treatments

On June 27, the House of Representatives Committee on Ways & Means, which has jurisdiction over all tax legislation and joint jurisdiction over government health programs, held a markup session on several pieces of healthcare legislation, including the American Medical Innovation and Investment Act ([H.R. 8816](#)). Among several other provisions, the bill would require the Department of Health and Human Services (HHS) to “issue guidance on requirements for payment under part B [of the Medicare Program] for a prescription digital therapeutic.” While the bill was reported favorably out of the Committee, it does not mandate a new Medicare benefit category to facilitate coverage for PDTs, which fails to alleviate existing uncertainties around how these products should be reimbursed. The Treat and Reduce Obesity Act ([H.R. 4818](#)) was also featured in the June 27 markup, and would authorize Medicare coverage of intensive behavioral therapy for obesity, including GLP-1 agonists. Importantly, an amendment was approved during the markup which would authorize coverage only for beneficiaries entering the Medicare program who are already receiving treatment to reduce obesity. This was the first time that a committee approved Medicare coverage of weight-loss medications since the inception of Medicare Part D. AMCP is continuing to monitor the progress of these bills in Congress.

[Watch the full markup recording](#).

***Loper Bright v. Raimondo* and the End of Chevron Deference**

On June 28, the Supreme Court issued a ruling in [Loper Bright Enterprises v. Raimondo](#) which overturned an existing judicial precedent known as Chevron deference. The 1983 Chevron case established the principle that allowed for federal agencies to reasonably interpret and implement ambiguous aspects of statutory law, without interference from federal courts. In Loper Bright, the court ruled 6-3 that courts must utilize independent rulings in deciding whether an agency's actions are allowed by existing statute and need not defer to agency interpretations of laws deemed to be ambiguous. The overturning of Chevron deference means that HHS and other federal regulatory agencies must exercise greater caution in implementing federal law. The ruling was followed by the July 5 release of the Biden administration's [Spring 2024 Unified Agenda](#), which delineates all expected federal rulemaking and regulatory actions through the remainder of the year. AMCP will

continue to monitor federal healthcare regulations and expected impacts following the overturning of Chevron deference.

View [AMCP's Regulatory NewsBREAKs](#) to stay up-to-date on the latest federal regulatory actions.

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