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## **A Flu Pandemic: The Medicare Program Prepares – and So Should You!**

The flu season is upon us! But will we experience "normal" flu or something worse? Unfortunately, like hurricanes and typhoons, influenza pandemics are inevitable. There have been 10 in the past 300 years. The last one occurred in 1968, and the next one may be just around the corner. The U. S. Centers for Medicare & Medicaid Services (CMS) has begun preparing emergency policies and procedures that may be implemented in the event of a pandemic or national emergency.

Decision to implement would occur if:

- The President declares an emergency or disaster under the National Emergencies Act or the Stafford Act; and
- The Secretary of the Department of Health and Human Services declares - under § 319 of the Public Health Service Act - that a public health emergency exists; and
- The Secretary elects to waive one or more requirements of Title XVIII of the Social Security Act (Act) pursuant to § 1135 of such Act.

In the event of a pandemic or other national emergency, CMS will issue communications to Medicare providers such as local physicians and hospitals to specify which policies and procedures will be implemented and other relevant information.

### *Dedicated CMS Web Page Now Available*

CMS has created a dedicated "Pandemic Flu" Web page at [http://www.cms.hhs.gov/Emergency/10\\_PandemicFlu.asp](http://www.cms.hhs.gov/Emergency/10_PandemicFlu.asp) on its Web site. That page will contain all important information providers need to know in the event of an influenza pandemic.

To address the public health legal issues that would arise in the event of a flu pandemic, the American Health Lawyers Association has published a guide to pandemic preparedness called *Community Pan-Flu Preparedness: A Checklist of Key Legal Issues for Healthcare Providers*. "It details the realistic and daunting issues that the next pandemic will thrust upon the healthcare system in every one of our communities," writes Michael T. Osterholm, Director of the Center for Infectious Disease Research & Policy at the University of Minnesota. (The checklist may be downloaded here: <http://www.healthlawyers.org/Resources/PublicInterest/Public%20Information%20Series/Documents/Pan-Flu%20Checklist.pdf>.)

*What Individuals Can Do*

Medicare is encouraging patients to get a flu shot. It is still their best defense against the flu this season.

Medicare provides coverage of the flu vaccine without any out-of-pocket costs to the Medicare patient. No deductible or copayment/coinsurance applies. Influenza vaccine plus its administration are covered Medicare Part B benefits. Note that influenza vaccine is NOT a Part D covered drug.

Not sure where to get a flu shot? The American Lung Association's Influenza (Flu) Center (<http://www.lungusa.org>) provides a flu clinic locator at <http://www.flucliniclocator.org>. Individuals can enter their zip code to find a flu clinic in their area. Providers can also obtain information on how to add their flu clinic to this site.

For information about Medicare's coverage of the influenza virus vaccine and its administration as well as related educational resources for health care professionals, please go to [http://www.cms.hhs.gov/MLNProducts/Downloads/flu\\_products.pdf](http://www.cms.hhs.gov/MLNProducts/Downloads/flu_products.pdf) on the CMS Web site.