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Title: Appropriate Use of Antipsychotic Medications in Nursing Home Patients Without Penalty

Introduced by: Domenic R. Federico, MD, for the Kent County Delegation

Original Author: Jayne Courts, MD

Referred to: Reference Committee E

House Action: Adopted as Amended.

Whereas, many patients in nursing home facilities are afflicted with dementia, and

Whereas, many patients with dementia experience delusions, hallucinations, and/or agitated behavior as part of this disease process, and these symptoms may present a risk to the patient and/or other residents, and

Whereas, the treating physician has very few options for treating these symptoms (physical restraints, non-pharmacological approaches, and/or pharmacological approaches), none of which are effective on a consistent basis, and

Whereas, the Food and Drug Administration has issued a black box warning for antipsychotics due to an association with death secondary to infectious or cardiovascular causes in elderly patients with dementia taking these medications, and

Whereas, the Department of Health and Human Services Inspector General Daniel Levinson testified in a hearing before the Senate Committee on Aging on 11/30/2011 that antipsychotic medications are frequently being prescribed inappropriately (i.e., for dementia-related psychosis) in the nursing home setting and that the facilities should reimburse Medicare for any inappropriate prescriptions, and

Whereas, there are not, unfortunately, any other medications which have a better risk to benefit ratio for similar use in this population (benzodiazepines, Depakote), and non-pharmacological approaches are often woefully ineffective in these patients; therefore be it

RESOLVED: That MSMS ask the AMA to meet with CMS for a determination that acknowledges that antipsychotics are an appropriate treatment for dementia-related psychosis if non pharmacologic approaches have failed; and be it further

RESOLVED: That AMA ask the Centers for Medicare and Medicaid Services to cease and desist in issuing citations or financial penalties for using antipsychotics for the treatment of dementia-related psychosis.

WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE