

AMENDMENT TO RULES COMMITTEE PRINT

116-56

OFFERED BY MS. WATERS OF CALIFORNIA

Add at the end of title III the following new sections:

1 **SEC. 304. ELIMINATING COST-SHARING WITH RESPECT TO**
2 **COVERAGE OF INSULIN AS A COVERED PART**
3 **D DRUG AND ASSOCIATED MEDICAL SUP-**
4 **PLIES UNDER THE MEDICARE PROGRAM**
5 **DURING THE COVID-19 EMERGENCY PERIOD.**

6 (a) IN GENERAL.—Section 1860D-2 of the Social
7 Security Act (42 U.S.C. 1395w-102) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1)(A), by striking “The
10 coverage” and inserting “Subject to paragraph
11 (8), the coverage”;

12 (B) in paragraph (2)—

13 (i) in subparagraph (A), by inserting
14 after “Subject to subparagraphs (C) and
15 (D)” the following: “and paragraph (8)”;

16 (ii) in subparagraph (C)(i), by strik-
17 ing “paragraph (4)” and inserting “para-
18 graphs (4) and (8)”;

1 (iii) in subparagraph (D)(i), by strik-
2 ing “paragraph (4)” and inserting “para-
3 graphs (4) and (8)”;

4 (C) in paragraph (4)(A)(i), by striking
5 “The coverage” and inserting “Subject to para-
6 graph (8), the coverage”; and

7 (D) by adding at the end the following new
8 paragraph:

9 “(8) ELIMINATION OF COST-SHARING FOR IN-
10 SULIN AND ASSOCIATED MEDICAL SUPPLIES DURING
11 THE COVID–19 EMERGENCY PERIOD.—The coverage
12 does not impose any deductible, copayment, coinsur-
13 ance, or other cost-sharing for insulin (as described
14 in subparagraph (B) of subsection (e)(1)) or medical
15 supplies associated with the injection of insulin (as
16 described in such subparagraph) during the emer-
17 gency period described in section 1135(g)(1)(B).”;
18 and

19 (2) in subsection (c), by adding at the end the
20 following new paragraph:

21 “(4) SAME ELIMINATION OF COST-SHARING FOR
22 CERTAIN COVERED PART D DRUGS DURING THE
23 COVID–19 EMERGENCY PERIOD.—The coverage is in
24 accordance with subsection (b)(8).”.

1 (b) ELIMINATION OF COST-SHARING FOR INSULIN
2 AND CERTAIN ASSOCIATED MEDICAL SUPPLIES FUR-
3 NISHED TO PART D ELIGIBLE INDIVIDUALS WHO ARE
4 SUBSIDY ELIGIBLE INDIVIDUALS.—Section 1860D–14(a)
5 of the Social Security Act (42 U.S.C. 1395w–114(a)) is
6 amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (D)—

9 (i) in clause (ii), by striking “In the
10 case of” and inserting “Subject to sub-
11 paragraph (F), in the case of”; and

12 (ii) in clause (iii), by striking “In the
13 case of” and inserting “Subject to sub-
14 paragraph (F), in the case of”; and

15 (B) by adding at the end the following new
16 subparagraph:

17 “(F) ELIMINATION OF COST-SHARING FOR
18 CERTAIN COVERED PART D DRUGS DURING THE
19 COVID–19 EMERGENCY PERIOD.—Coverage that
20 is in accordance with section 1860D–2(b)(8).”;
21 and

22 (2) in paragraph (2)—

23 (A) in subparagraph (D), by striking “The
24 substitution” and inserting “Subject to sub-
25 paragraph (F), the substitution”;

1 (B) in subparagraph (E), by inserting
2 after “Subject to” the following: “subparagraph
3 (F) and”; and

4 (C) by adding at the end the following new
5 subparagraph:

6 “(F) ELIMINATION OF COST-SHARING FOR
7 CERTAIN COVERED PART D DRUGS DURING THE
8 COVID-19 EMERGENCY PERIOD.—Coverage that
9 is in accordance with section 1860D-2(b)(8).”.

10 **SEC. 305. MAIL ORDER ACCESS OF INSULIN AND ASSOCI-**
11 **ATED MEDICAL SUPPLIES UNDER THE MEDI-**
12 **CARE PROGRAM DURING THE COVID-19**
13 **EMERGENCY PERIOD.**

14 Section 1860D-4(b)(4)(A) of the Social Security Act
15 (42 U.S.C. 1395w-104(b)(4)(A)) is amended—

16 (1) by striking “subject to subparagraph (B)”
17 and inserting “subject to subparagraphs (B) and
18 (C)”; and

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(C) MAIL ORDER.—A prescription drug
22 plan or MA-PD plan shall permit such part D
23 eligible individual enrolled in such plan to ob-
24 tain such fill or refill of insulin (as described in
25 subparagraph (B) of section 1860D-2(e)(1)) or

1 medical supplies associated with the injection of
2 insulin (as described in such subparagraph), at
3 the option of such individual, by mail order to
4 the home of such individual.”.

