

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4375

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of self-administered drugs that, when used as a replacement for covered drugs, result in overall cost savings to the program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2000

Ms. BALDWIN (for herself, Mr. WAXMAN, Mr. STARK, Mr. PALLONE, Mr. KLECZKA, Mrs. THURMAN, Mr. ALLEN, and Mr. MINGE) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of self-administered drugs that, when used as a replacement for covered drugs, result in overall cost savings to the program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Drug Cost  
5 Savings Act of 2000”.

1 **SEC. 2. MEDICARE COVERAGE OF COST SAVING SELF-AD-**  
2 **MINISTERED DRUGS USED AS A REPLACE-**  
3 **MENT FOR COVERED DRUGS.**

4 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
5 curity Act (42 U.S.C. 1395x(s)(2)) is amended—

6 (1) by striking “and” at the end of subpara-  
7 graph (S);

8 (2) by striking the period at the end of sub-  
9 paragraph (T) and inserting “; and”; and

10 (3) by inserting after subparagraph (T) the fol-  
11 lowing new subparagraph:

12 “(U) a self-administered drug (which is ap-  
13 proved by the Food and Drug Administration)  
14 that—

15 “(i) is a full replacement for a drug or  
16 drug therapy which is otherwise covered under  
17 this title; and

18 “(ii) as a full replacement for such drug or  
19 drug therapy, results in overall cost savings  
20 under this title for the treatment of the condi-  
21 tion for which such drug or drug therapy is pre-  
22 scribed (as determined by the Secretary);”.

23 (b) **GAO STUDY.**—

24 (1) **IN GENERAL.**—The Comptroller General of  
25 the United States shall conduct a study on the im-  
26 plementation by the Secretary of Health and Human

1 Services of section 1861(s)(2)(U) of the Social Secu-  
2 rity Act, as added by subsection (a). Such study  
3 shall include the identification or evaluation of the  
4 following:

5 (A) The self-administered drugs that the  
6 Secretary has determined are appropriate for  
7 use as replacement drugs under that section.

8 (B) The replacement self-administered  
9 drugs for which the Secretary has made pay-  
10 ment under the medicare program under title  
11 XVIII of the Social Security Act (42 U.S.C.  
12 1395 et seq.).

13 (C) The amount of savings attributable to  
14 the use of such replacement self-administered  
15 drugs.

16 (D) Additional self-administered drugs  
17 that the Comptroller General determines would  
18 be appropriate for use under that section.

19 (E) Any impact on utilization and bene-  
20 ficiary access to self-administered drugs under  
21 the medicare program.

22 (2) REPORT TO CONGRESS.—Not later than  
23 one year after the date of the enactment of this Act,  
24 the Comptroller General shall submit to Congress a  
25 report on the study conducted under paragraph (1),

1       and may include such recommendations as the  
2       Comptroller General determines appropriate.

3       (c) EFFECTIVE DATE.—The amendments made by  
4       subsection (a) apply to drugs furnished on or after the  
5       date that is 90 days after the date of the enactment of  
6       this Act.

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