H. R. 6144

To amend title XVIII of the Social Security Act to prohibit health plans and pharmacy benefit managers from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2018

Mr. Doggett introduced the following bill; which was referred to the Committee on Energy and 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

A BILL

To amend title XVIII of the Social Security Act to prohibit health plans and pharmacy benefit managers from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Know the Lowest Price Act of 2018”.

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SEC. 2. PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.

(a) In General.—Section 1860D–4 of the Social Security Act (42 U.S.C. 1395w–104) is amended by adding at the end the following new subsection:

“(m) Prohibition on Limiting Certain Information on Drug Prices.—A PDP sponsor and a Medicare Advantage organization shall ensure that—

“(1) any health benefits plan offered by the sponsor or organization, including a prescription drug plan and an MA–PD plan, does not restrict a pharmacy that dispenses a prescription drug or biological from informing (or penalize such pharmacy for informing) an enrollee of any differential between the price of the drug or biological to the enrollee under the plan and the price the individual would pay for the drug or biological if the enrollee obtained the drug without using any health insurance coverage; and

“(2) any entity that provides pharmacy benefits management services under a contract with any health benefits plan offered by the sponsor or organization does not, with respect to such plan or any health benefits plan that the entity contracts with to provide pharmacy benefits management services and that is offered by an entity other than such sponsor...
or organization, restrict a pharmacy that dispenses
a prescription drug or biological from informing (or
penalize such pharmacy for informing) an enrollee of
any differential between the price of the drug or bio-
logical to the enrollee under the plan and the price
the individual would pay for the drug or biological
if the enrollee obtained the drug without using any
health insurance coverage.”.

(b) Effective Date.—The amendment made by
subsection (a) shall apply to plan years beginning on or