

117TH CONGRESS
1ST SESSION

H. R. 467

To amend the Families First Coronavirus Response Act and the CARES Act to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide coverage, without cost sharing, of certain COVID–19 antibody treatments.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2021

Mr. GONZALEZ of Ohio (for himself and Ms. SPANBERGER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, 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 the Families First Coronavirus Response Act and the CARES Act to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide coverage, without cost sharing, of certain COVID–19 antibody treatments.

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 “Protecting Patient Ac-
5 cess to Lifesaving COVID–19 Drugs Act of 2021”.

1 **SEC. 2. REQUIRING GROUP HEALTH PLANS AND HEALTH**
2 **INSURANCE ISSUERS OFFERING GROUP OR**
3 **INDIVIDUAL HEALTH INSURANCE COVERAGE**
4 **TO PROVIDE COVERAGE, WITHOUT COST**
5 **SHARING, OF CERTAIN COVID-19 ANTIBODY**
6 **TREATMENTS.**

7 (a) IN GENERAL.—Section 6001(a) of the Families
8 First Coronavirus Response Act (42 U.S.C. 1320b-5 note)
9 is amended—

10 (1) in the matter preceding paragraph (1), by
11 inserting “(or, in the case of items and services de-
12 scribed in paragraph (3), beginning on or after the
13 date of the enactment of the Protecting Patient Ac-
14 cess to Lifesaving COVID-19 Drugs Act of 2021)”
15 after “this Act”; and

16 (2) by adding at the end the following new
17 paragraph:

18 “(3) Items consisting of monoclonal antibody
19 infusions (as specified by the Secretary) approved,
20 cleared, or otherwise authorized by the Food and
21 Drug Administration needed for the treatment of
22 COVID-19 in individuals with positive COVID-19
23 test results, including services for the administration
24 of such items.”.

1 (b) REIMBURSEMENT FOR TREATMENTS.—Section
2 3202 of the CARES Act (42 U.S.C. 256b note) is amend-
3 ed—

4 (1) in the header, by inserting “**AND ANTI-**
5 **BODY TREATMENTS**” after “**TESTING**”;

6 (2) in subsection (a), in the matter preceding
7 paragraph (1), by inserting “or antibody treatment,
8 as applicable,” after “diagnostic testing”; and

9 (3) in subsection (b)—

10 (A) in the header, by inserting “AND ANTI-
11 BODY TREATMENTS” after “TESTING”; and

12 (B) in paragraph (1)—

13 (i) by inserting “or antibody treat-
14 ment” after “diagnostic test”; and

15 (ii) by inserting “or treatment (in-
16 cluding the administration of such treat-
17 ment)” after “such test”.

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