

119TH CONGRESS
1ST SESSION

S. 529

To limit cost-sharing for prescription drugs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2025

Mr. WARNOCK (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. BLUMENTHAL, Mr. FETTERMAN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. KIM, Ms. KLOBUCHAR, Mrs. MURRAY, and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To limit cost-sharing for prescription drugs, and for other purposes.

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 “Capping Prescription
5 Costs Act of 2025”.

6 **SEC. 2. CAP ON PRESCRIPTION DRUG COST-SHARING.**

7 (a) QUALIFIED HEALTH PLANS.—Section 1302(c) of
8 the Patient Protection and Affordable Care Act (42
9 U.S.C. 18022(c)) is amended—

(1) in paragraph (3)(A)(i), by inserting “, including cost-sharing with respect to prescription drugs covered by the plan” after “charges”; and

(2) by adding at the end the following:

“(5) PRESCRIPTION DRUG COST-SHARING.—

“(A) 2026.—For plan years beginning in 2026, the cost-sharing incurred under a health plan with respect to prescription drugs covered by the plan shall not exceed \$2,000 per year for each enrolled individual, or \$4,000 per year for each family.

“(B) 2027 AND LATER.—

“(i) IN GENERAL.—In the case of any plan year beginning in a calendar year after 2026, the limitation under this paragraph shall be equal to the applicable dollar amount under subparagraph (A) for plan years beginning in 2026, increased by an amount equal to the product of that amount and the medical care component of the consumer price index for all urban consumers (as published by the Bureau of Labor Statistics) for that year.

“(ii) ADJUSTMENT TO AMOUNT.—If the amount of any increase under clause

1 (i) is not a multiple of \$5, such increase
 2 shall be rounded to the next lowest mul-
 3 tiple of \$5.”.

4 (b) GROUP HEALTH PLANS.—

5 (1) PUBLIC HEALTH SERVICE ACT.—Part D of
 6 title XXVII of the Public Health Service Act (42
 7 U.S.C. 300gg–111 et seq.) is amended by inserting
 8 after section 2799A–5 (42 U.S.C. 300gg–115) the
 9 following:

10 **“SEC. 2799A–6. CAP ON PRESCRIPTION DRUG COST-SHAR-**
 11 **ING FOR GROUP HEALTH PLANS.**

12 “A group health plan and health insurance issuer of-
 13 fering group health insurance coverage shall ensure that
 14 any cost-sharing imposed under the plan or coverage with
 15 respect to prescription drugs covered by the plan or cov-
 16 erage does not exceed the limitations provided for under
 17 paragraph (5) of section 1302(c) of the Patient Protection
 18 and Affordable Care Act.”.

19 (2) EMPLOYEE RETIREMENT INCOME SECURITY
 20 ACT.—

21 (A) IN GENERAL.—Subpart B of part 7 of
 22 subtitle B of title I of the Employee Retirement
 23 Income Security Act (29 U.S.C. 1185 et seq.)
 24 is amended by inserting after section 720 (29
 25 U.S.C. 1185i) the following:

1 **“SEC. 721. CAP ON PRESCRIPTION DRUG COST-SHARING.**

2 “A group health plan and health insurance issuer of-
 3 fering group health insurance coverage shall ensure that
 4 any cost-sharing imposed under the plan or coverage with
 5 respect to prescription drugs covered by the plan or cov-
 6 erage does not exceed the limitations provided for under
 7 paragraph (5) of section 1302(c) of the Patient Protection
 8 and Affordable Care Act.”.

9 (B) CLERICAL AMENDMENT.—The table of
 10 contents in section 1 of the Employee Retirement
 11 Income Security Act of 1974 (29 U.S.C.
 12 1001 note) is amended by inserting after the
 13 item relating to section 720 the following:

“Sec. 721. Cap on prescription drug cost-sharing”.

14 (3) INTERNAL REVENUE CODE OF 1986.—

15 (A) IN GENERAL.—Subchapter B of chap-
 16 ter 100 of the Internal Revenue Code of 1986
 17 is amended by inserting after section 9820 the
 18 following:

19 **“SEC. 9821. CAP ON PRESCRIPTION DRUG COST-SHARING.**

20 “A group health plan shall ensure that any cost-shar-
 21 ing imposed under the plan with respect to prescription
 22 drugs covered by the plan does not exceed the limitations
 23 provided for under paragraph (5) of section 1302(c) of
 24 the Patient Protection and Affordable Care Act.”.

1 (B) CLERICAL AMENDMENT.—The table of
2 sections for subchapter B of chapter 100 of the
3 Internal Revenue Code of 1986 is amended by
4 inserting after the item relating to section 9820
5 the following:

“Sec. 9821. Cap on prescription drug cost-sharing”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 subsections (a) and (b) shall take effect with respect to
8 plan years beginning on or after January 1, 2026.

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