

107TH CONGRESS
1ST SESSION

H. R. 1089

To amend title XVIII of the Social Security Act to expand medicare coverage of certain self-injected biologicals.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2001

Ms. DUNN (for herself, Mr. McDERMOTT, Mr. PICKERING, Mrs. CAPPS, Mr. WATTS of Oklahoma, Mr. CRANE, Mr. PORTMAN, Mr. ENGLISH, Mr. DICKS, Mr. HASTINGS of Washington, Mr. NETHERCUTT, Mr. INSLEE, Mr. SMITH of Washington, Mr. BAIRD, Mr. LARSEN of Washington, Mrs. ROUKEMA, Mrs. KELLY, Mr. WICKER, Mr. BAKER, Mr. SKELTON, Mr. PAUL, Mr. MOORE, Mr. BALDACCI, Mr. WELDON of Pennsylvania, Mr. ISAKSON, Mr. JEFFERSON, Mr. ALLEN, Mr. DEUTSCH, Ms. ESHOO, Mr. BRADY of Pennsylvania, Mr. WEXLER, Ms. PRYCE of Ohio, Ms. DEGETTE, Mr. DOYLE, Mr. WYNN, Mr. MCGOVERN, Mr. DOOLEY of California, Mr. DEAL of Georgia, Ms. DELAURO, Mr. KLECZKA, Mr. HILLIARD, Mr. CUNNINGHAM, Mrs. MORELLA, Mr. WOLF, Mr. FROST, Ms. CARSON of Indiana, Mr. COYNE, Mrs. LOWEY, Mr. EHRLICH, Mr. TAYLOR of Mississippi, Mr. EVANS, and Mr. SHOWS) 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 expand medicare coverage of certain self-injected biologicals.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Access to Innovation
3 for Medicare Patients Act of 2001”.

4 **SEC. 2. MEDICARE COVERAGE OF SELF-INJECTED**
5 **BIOLOGICALS.**

6 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-
7 curity Act (42 U.S.C. 1395x(s)(2)), as amended by sec-
8 tions 102(a) and 105(a) of the Medicare, Medicaid, and
9 SCHIP Benefits Improvement and Protection Act of
10 2000, as enacted into law by section 1(a)(6) of Public Law
11 106–554, is amended—

12 (1) by striking “and” at the end of subpara-
13 graph (U);

14 (2) by inserting “and” at the end of subpara-
15 graph (V); and

16 (3) by adding at the end the following new sub-
17 paragraph:

18 “(W) a self-injected biological (which is ap-
19 proved by the Food and Drug Administration) that
20 is prescribed as a complete replacement for a drug
21 or biological that would otherwise be described in
22 subparagraph (A) or (B);”.

23 (b) **EFFECTIVE DATE.**—The amendments made by
24 subsection (a) shall apply to biologicals furnished on or
25 after January 1, 2002.