

107TH CONGRESS  
1ST SESSION

# S. 554

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

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## IN THE SENATE OF THE UNITED STATES

MARCH 15, 2001

Mrs. MURRAY (for herself, Ms. COLLINS, Ms. MIKULSKI, Ms. CANTWELL, Mr. COCHRAN, and Mr. CHAFEE) introduced the following bill; which was read twice and referred to the Committee on Finance

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## 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,*

### 3 SECTION 1. SHORT TITLE.

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

### 6 SEC. 2. MEDICARE COVERAGE OF SELF-INJECTED 7 BIOLOGICALS.

8 (a) COVERAGE.—

9 (1) IN GENERAL.—Section 1861(s)(2) of the  
10 Social Security Act (42 U.S.C. 1395x(s)(2)), as

1 amended by section 105(a) of the Medicare, Med-  
 2 icaid, and SCHIP Benefits Improvement and Pro-  
 3 tection Act of 2000 (as enacted into law by section  
 4 1(a)(6) of Public Law 106–554), is amended—

5 (A) in subparagraph (U), by striking  
 6 “and” at the end;

7 (B) in subparagraph (V), by inserting  
 8 “and” at the end; and

9 (C) by adding at the end the following new  
 10 subparagraph:

11 “(W) a self-injected biological (which is ap-  
 12 proved by the Food and Drug Administration) that  
 13 is prescribed as a complete replacement for a drug  
 14 or biological that would otherwise be described in  
 15 subparagraph (A) or (B);”.

16 (2) CONFORMING AMENDMENT.—Subpara-  
 17 graphs (A) and (B) of section 1861(s)(2) of the So-  
 18 cial Security Act (42 U.S.C. 1395x(s)(2)), as  
 19 amended by section 112 of the Medicare, Medicaid,  
 20 and SCHIP Benefits Improvement and Protection  
 21 Act of 2000 (as so enacted), are each amended by  
 22 inserting “, except for any biological described in  
 23 subparagraph (W),” after “which”.

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

