

108TH CONGRESS
1ST SESSION

H. R. 3672

To amend part D of title XVIII of the Social Security Act, as added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide for negotiation of fair prices for Medicare prescription drugs.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2003

Mr. EDWARDS (for himself, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. DINGELL, Mr. RANGEL, Mr. BERRY, Mr. BROWN of Ohio, Mr. STARK, Mr. SPRATT, Mr. GEORGE MILLER of California, Mr. MATSUI, Mr. WAXMAN, Ms. SCHAKOWSKY, Mr. PALLONE, Mr. OBEY, Mr. BISHOP of New York, Mr. MOORE, Mr. MICHAUD, Mr. BELL, Mr. VAN HOLLEN, Mr. DAVIS of Tennessee, Mr. STENHOLM, Mr. FROST, Mr. LEVIN, Mr. ORTIZ, Mr. HINOJOSA, Mr. RODRIGUEZ, Mrs. LOWEY, Mr. ROSS, Mrs. MCCARTHY of New York, Mr. GREEN of Texas, Mr. LEWIS of Georgia, Mr. ACKERMAN, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HOEFFEL, Mr. TIERNEY, Mr. WEINER, Mr. HINCHEY, Mr. SANDLIN, Mrs. MALONEY, Mr. McDERMOTT, Mr. MORAN of Virginia, Ms. LINDA T. SÁNCHEZ of California, Mr. CROWLEY, Mr. RUPPERSBERGER, Ms. MCCOLLUM, Mr. GRIJALVA, Ms. MAJETTE, Mr. DELAHUNT, Mr. McNULTY, Mr. LANTOS, Mr. CARDOZA, Mr. LYNCH, Ms. KILPATRICK, Mr. PRICE of North Carolina, Mr. BISHOP of Georgia, Mr. KLECZKA, Ms. NORTON, Mr. OLVER, Mr. RYAN of Ohio, Mr. BAIRD, Mr. OWENS, Mr. UDALL of New Mexico, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. BALLANCE, Mr. CASE, Ms. SOLIS, Mr. COOPER, Mr. EMANUEL, Mr. TAYLOR of Mississippi, Mr. DAVIS of Illinois, Mr. KILDEE, Mr. SCHIFF, and Mr. MEEK of Florida) 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 part D of title XVIII of the Social Security Act, as added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide for negotiation of fair prices for Medicare prescription drugs.

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. NEGOTIATING FAIR PRICES FOR MEDICARE**
 4 **PRESCRIPTION DRUGS.**

5 Section 1860D–11 of the Social Security Act, as
 6 added by section 101(a) of the Medicare Prescription
 7 Drug, Improvement, and Modernization Act of 2003, is
 8 amended by striking subsection (i) (relating to noninter-
 9 ference) and by inserting the following:

10 “(i) **AUTHORITY TO NEGOTIATE PRICES WITH MAN-**
 11 **UFACTURERS.**—In order to ensure that beneficiaries en-
 12 rolled under prescription drug plans and MA–PD plans
 13 pay the lowest possible price, the Secretary shall have au-
 14 thority similar to that of other Federal entities that pur-
 15 chase prescription drugs in bulk to negotiate contracts
 16 with manufacturers of covered part D drugs, consistent
 17 with the requirements and in furtherance of the goals of
 18 providing quality care and containing costs under this
 19 part.”.

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