

108TH CONGRESS
2D SESSION

S. 2272

To amend title XIX of the Social Security Act to expand the pediatric vaccine distribution program to include coverage for children administered a vaccine at a public health clinic or Indian clinic, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2004

Mr. BINGAMAN (for himself and Mr. SMITH) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to expand the pediatric vaccine distribution program to include coverage for children administered a vaccine at a public health clinic or Indian clinic, 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 “Children’s Vaccine Ac-
5 cess Act of 2004”.

1 **SEC. 2. EXPANSION OF DEFINITION OF FEDERALLY VAC-**
 2 **CINE-ELIGIBLE CHILD.**

3 (a) IN GENERAL.—Section 1928(b)(2)(A)(iii)(I) of
 4 the Social Security Act (42 U.S.C. 1396s(b)(2)(A)(iii)(I))
 5 is amended by striking “or a rural health clinic (as defined
 6 in section 1905(l)(1))” and inserting “, a rural health clin-
 7 ic (as defined in section 1905(l)(1)), or a State or local
 8 public health clinic”.

9 (b) CONFORMING AMENDMENT.—Section 1928(h)(3)
 10 of the Social Security Act (42 U.S.C. 1396s(h)(3)) is
 11 amended by striking “and ‘tribal organization’” and in-
 12 serting “, ‘tribal organization’, and ‘urban Indian organi-
 13 zation’”.

14 **SEC. 3. REPEAL OF PRICE CAP FOR PRE-1993 VACCINES.**

15 (a) IN GENERAL.—Section 1928(d)(3)(B) of the So-
 16 cial Security Act (42 U.S.C. 1396s(d)(3)(B)) is repealed.

17 (b) CONFORMING AMENDMENT.—Section 1928(d)(3)
 18 of such Act (42 U.S.C. 1396s(d)(3)) is amended by strik-
 19 ing subparagraph (C) and inserting the following:

20 “(B) NEGOTIATION OF DISCOUNTED
 21 PRICE.—With respect to contracts entered into
 22 for a pediatric vaccine described in this section,
 23 the price for the purchase of such vaccine shall
 24 be a discounted price negotiated by the Sec-
 25 retary.”.

1 **SEC. 4. SIMPLIFIED ADMINISTRATION OF VACCINE SUPPLY.**

2 Section 1928(d)(6) of the Social Security Act (42
3 U.S.C. 1396s(d)(6)) is amended by inserting after the sec-
4 ond sentence the following: “The Secretary may sell such
5 quantities of vaccines from such supply to public health
6 departments or back to the vaccine manufacturer as the
7 Secretary determines appropriate. Proceeds received from
8 such sales shall be available to the Secretary only for the
9 purpose of procuring pediatric vaccines stockpiles under
10 this section and shall remain available until expended.”.

11 **SEC. 5. EFFECTIVE DATE.**

12 The amendments made by this Act take effect on Oc-
13 tober 1, 2004.

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