

108TH CONGRESS
2D SESSION

S. 2667

To amend section 641 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to improve the coverage of certain prescription drugs and biologicals under the medicare replacement drug demonstration project.

IN THE SENATE OF THE UNITED STATES

JULY 15, 2004

Mr. DAYTON introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend section 641 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to improve the coverage of certain prescription drugs and biologicals under the medicare replacement drug demonstration project.

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 “Medicare Replacement
5 Drug Demonstration Project Improvement Act of 2004”.

1 **SEC. 2. MEDICARE REPLACEMENT DRUG DEMONSTRATION**
2 **PROJECT IMPROVEMENT.**

3 (a) REQUIREMENT TO NEGOTIATE REDUCED DRUG
4 PRICES.—Section 641(a) of the Medicare Prescription
5 Drug, Improvement, and Modernization Act of 2003 (42
6 U.S.C. 1395l note) is amended by inserting after the first
7 sentence the following new sentence: “Notwithstanding
8 any other provision of law, the Secretary shall negotiate
9 the lowest possible price for the drugs and biologicals for
10 which payment is made under the demonstration project.”.

11 (b) ELIMINATION OF LIMITATIONS; FUNDING.—Sec-
12 tion 641(d) of the Medicare Prescription Drug, Improve-
13 ment, and Modernization Act of 2003 (42 U.S.C. 1395l
14 note) is amended to read as follows:

15 “(d) FUNDING.—There are appropriated from the
16 Federal Supplementary Medical Insurance Trust Fund
17 under section 1841 of the Social Security Act (42 U.S.C.
18 1395t) such sums as are necessary to provide coverage
19 for drugs and biologicals for which payment is made under
20 the demonstration project for each individual who is eligi-
21 ble to participate in such demonstration project.”.

22 (c) EFFECTIVE DATE; EXTENSION OF APPLICATION
23 DEADLINE.—

24 (1) EFFECTIVE DATE.—The amendments made
25 by this section shall take effect as if included in the
26 enactment of section 641 of the Medicare Prescrip-

1 tion Drug, Improvement, and Modernization Act of
2 2003 (42 U.S.C. 1395l note).

3 (2) EXTENSION OF APPLICATION DEADLINE.—

4 The Secretary shall extend any application deadline
5 imposed under the demonstration project under sec-
6 tion 641 of the Medicare Prescription Drug, Im-
7 provement, and Modernization Act of 2003 (42
8 U.S.C. 1395l note) until at least the date that is 90
9 days after the date of enactment of this Act.

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