

108TH CONGRESS
1ST SESSION

S. 465

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2003

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

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 2003”.

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

8 (a) COVERAGE.—

1 (1) IN GENERAL.—Section 1861(s)(2) of the
 2 Social Security Act (42 U.S.C. 1395x(s)(2)) is
 3 amended—

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

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

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

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

15 (2) CONFORMING AMENDMENT.—Subpara-
 16 graphs (A) and (B) of section 1861(s)(2) of the So-
 17 cial Security Act (42 U.S.C. 1395x(s)(2)) are each
 18 amended by inserting “, except for any biological de-
 19 scribed in subparagraph (W),” after “which”.

20 (b) EFFECTIVE DATE.—The amendments made by
 21 subsection (a) shall apply to biologicals furnished on or
 22 after January 1, 2004.

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