

109TH CONGRESS  
1ST SESSION

# H. R. 3543

To eliminate Medicare and Medicaid coverage of drugs when used for treatment of erectile dysfunction.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Mr. DEAL of Georgia (for himself, Mr. GORDON, and Mr. GINGREY) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To eliminate Medicare and Medicaid coverage of drugs when used for treatment of erectile dysfunction.

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. ELIMINATION OF MEDICARE AND MEDICAID**  
4 **COVERAGE FOR DRUGS WHEN USED FOR**  
5 **TREATMENT OF ERECTILE DYSFUNCTION.**

6 (a) IN GENERAL.—Section 1927(d)(2) of the Social  
7 Security Act (42 U.S.C. 1396r–8(d)(2)) is amended by  
8 adding at the end the following new subparagraph:

9 “(K) Agents when used for the treatment  
10 of erectile dysfunction.”.

1       (b) ELIMINATION OF FEDERAL PAYMENT UNDER  
2 MEDICAID PROGRAM.—Section 1903(i) of such Act (42  
3 U.S.C. 1396b(i)) is amended—

4           (1) by striking “or” at the end of paragraph  
5       (19);

6           (2) by striking the period at the end of para-  
7       graph (20) and inserting “; or”; and

8           (3) by inserting after paragraph (20) the fol-  
9       lowing new paragraph:

10           “(21) with respect to amounts expended for  
11       covered outpatient drugs described in section  
12       1927(d)(2)(K) (relating to drugs when used for  
13       treatment of erectile dysfunction).”.

14       (c) EFFECTIVE DATE.—The amendments made by  
15       this section shall apply to drugs dispensed on or after the  
16       date of the enactment of this Act.

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