

109TH CONGRESS  
1ST SESSION

# H. R. 4610

To provide Medicare beneficiaries with access to prescription drugs at Federal Supply Schedule prices.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2005

Mr. STUPAK 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

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## A BILL

To provide Medicare beneficiaries with access to prescription drugs at Federal Supply Schedule prices.

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. ACCESS OF MEDICARE BENEFICIARIES TO PRE-**  
4 **SCRIPTION DRUGS AT FEDERAL SUPPLY**  
5 **SCHEDULE PRICES.**

6 Notwithstanding any other provision of law, any indi-  
7 vidual who is entitled to benefits under part A, or enrolled  
8 under part B, of title XVIII of the Social Security Act

1 shall be eligible to obtain prescription drugs at the prices  
2 specified in the Federal Supply Schedule.

3 **SEC. 2. NEGOTIATING FAIR PRICES FOR MEDICARE PRE-**  
4 **SCRIPTION DRUGS ON BEHALF OF MEDICARE**  
5 **BENEFICIARIES.**

6 Section 1860D–11 of the Social Security Act (42  
7 U.S.C. 1395w–111) is amended by striking subsection (i)  
8 (relating to noninterference) and inserting the following:  
9 “(i) **AUTHORITY TO NEGOTIATE PRICES WITH MAN-**  
10 **UFACTURERS.**—In order to ensure that beneficiaries en-  
11 rolled under prescription drug plans and MA–PD plans  
12 pay the lowest possible price, the Secretary shall have au-  
13 thority similar to that of the Secretary of Veterans Affairs,  
14 Secretary of Defense, and the heads of other Federal  
15 agencies and departments that purchase prescription  
16 drugs in bulk to negotiate contracts with manufacturers  
17 of covered part D drugs, consistent with the requirements  
18 and in furtherance of the goals of providing quality care  
19 and containing costs under this part.”.

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