

109TH CONGRESS
2D SESSION

H. R. 4722

To amend title XVIII of the Social Security Act to eliminate cost-sharing under part D of such title for certain full-benefit dual eligible individuals.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2006

Mr. ENGEL (for himself, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. BOUCHER, Mr. TOWNS, Mr. PALLONE, Mr. RUSH, Mr. STUPAK, Mr. STRICKLAND, Ms. DEGETTE, Mrs. CAPPS, Mr. ALLEN, Ms. SCHAKOWSKY, Mr. McNULTY, Mr. JEFFERSON, Mr. EMANUEL, and Mr. KENNEDY of Rhode Island) 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

A BILL

To amend title XVIII of the Social Security Act to eliminate cost-sharing under part D of such title for certain full-benefit dual eligible individuals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ELIMINATION OF PART D COST-SHARING FOR**
2 **CERTAIN FULL-BENEFIT DUAL ELIGIBLE IN-**
3 **DIVIDUALS.**

4 (a) IN GENERAL.—Section 1860D–14(a)(1)(D)(i) of
5 the Social Security Act (42 U.S.C. 1395w–
6 114(a)(1)(D)(i)) is amended—

7 (1) in the heading, by striking “INSTITU-
8 TIONALIZED INDIVIDUALS.—In” and inserting
9 “ELIMINATION OF COST-SHARING FOR CERTAIN
10 FULL-BENEFIT DUAL ELIGIBLE INDIVIDUALS.—”

11 “(I) INSTITUTIONALIZED INDI-
12 VIDUALS.—In”; and

13 (2) by adding at the end the following new sub-
14 clauses:

15 “(II) CERTAIN OTHER INDIVID-
16 UALS.—In the case of an individual
17 who is a full-benefit dual eligible indi-
18 vidual and who receives services from
19 a facility or program described in sub-
20 clause (III), the elimination of any
21 beneficiary coinsurance described in
22 section 1860D–2(b)(2) (for all
23 amounts through the total amount of
24 expenditures at which benefits are
25 available under section 1860D–
26 2(b)(4)).

1 “(III) FACILITY DESCRIBED.—

2 For purposes of subclause (II), a fa-
3 cility or program described in this
4 subclause is a board and care facility,
5 a custodial care facility, a group
6 home, or an assisted living facility (as
7 such terms are defined by the Sec-
8 retary), or any other facility or pro-
9 gram that the Secretary determines
10 provides services without which the in-
11 dividual would require long-term care
12 in a medical institution or nursing fa-
13 cility.”.

14 (b) EFFECTIVE DATE.—

15 (1) IN GENERAL.—The amendments made by
16 subsection (a) shall take effect as if included in the
17 enactment of section 101 of the Medicare Prescrip-
18 tion Drug, Improvement, and Modernization Act of
19 2003 (Public Law 108–173).

20 (2) REIMBURSEMENT OF COST-SHARING PAY-
21 MENTS.—The Secretary shall provide for reimburse-
22 ment of any beneficiary coinsurance described in sec-
23 tion 1860D–2(b)(2) of the Social Security Act (42
24 U.S.C. 1395w–102(b)(2)) paid by or on behalf of an
25 individual described in section 1860D–

1 14(a)(1)(D)(i)(II) of such Act, as added by sub-
2 section (a), during the period beginning on January
3 1, 2006, and ending on the date of enactment of this
4 Act.

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