

109TH CONGRESS
2D SESSION

S. 2203

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 SENATE OF THE UNITED STATES

JANUARY 26, 2006

Mrs. CLINTON (for herself and Mr. NELSON of Florida) 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 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,*

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

6 (a) IN GENERAL.—Section 1860D–14(a)(1)(D)(i) of
7 the Social Security Act (42 U.S.C. 1395w–
8 114(a)(1)(D)(i)) is amended—

9 (1) in the heading, by striking “INSTITU-
10 TIONALIZED INDIVIDUALS.—In” and inserting

1 “ELIMINATION OF COST-SHARING FOR CERTAIN
2 FULL-BENEFIT DUAL ELIGIBLE INDIVIDUALS.—”

3 “(I) INSTITUTIONALIZED INDIVIDUALS.—In”; and
4

5 (2) by adding at the end the following new sub-
6 clauses:

7 “(II) CERTAIN OTHER INDIVIDUALS.—In the case of an individual
8 who is a full-benefit dual eligible individual and who receives services from
9 a facility or program described in sub-
10 clause (III), the elimination of any
11 beneficiary coinsurance described in
12 section 1860D–2(b)(2) (for all
13 amounts through the total amount of
14 expenditures at which benefits are
15 available under section 1860D–
16 2(b)(4)).
17

18 “(III) FACILITY DESCRIBED.—
19 For purposes of subclause (II), a fa-
20 cility or program described in this
21 subclause is a board and care facility,
22 a custodial care facility, a group
23 home, or an assisted living facility (as
24 such terms are defined by the Sec-
25

retary), or any other facility or program that the Secretary determines provides services without which the individual would require long-term care in a medical institution or nursing facility.”.

(b) EFFECTIVE DATE.—

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

(2) REIMBURSEMENT OF COST-SHARING PAYMENTS.—The Secretary shall provide for reimbursement of any beneficiary coinsurance described in section 1860D–2(b)(2) of the Social Security Act (42 U.S.C. 1395w–102(b)(2)) paid by or on behalf of an individual described in section 1860D–14(a)(1)(D)(i)(II) of such Act, as added by subsection (a), during the period beginning on January 1, 2006, and ending on the date of enactment of this Act.

○