

114TH CONGRESS
1ST SESSION

H. R. 1416

To prevent application of sequestration to payment for certain physician-administered drugs under part B of the Medicare program in fiscal years 2016 and 2017, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2015

Mrs. ELLMERS of North Carolina (for herself and Mr. ISRAEL) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Ways and Means and Energy and Commerce, 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 prevent application of sequestration to payment for certain physician-administered drugs under part B of the Medicare program in fiscal years 2016 and 2017, and for other purposes.

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 “Cancer Patient Protec-
5 tion Act of 2015”.

1 **SEC. 2. PREVENTING APPLICATION OF SEQUESTRATION TO**
2 **PAYMENT FOR PHYSICIAN-ADMINISTERED**
3 **DRUGS UNDER PART B OF THE MEDICARE**
4 **PROGRAM IN FISCAL YEARS 2016 AND 2017.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, any Presidential order issued after the date
7 of the enactment of this Act under section 251A of the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985 (2 U.S.C. 901a) for fiscal year 2016 or for fiscal
10 year 2017 shall provide that no reduction is made with
11 respect to payments for drugs and biologicals under sec-
12 tion 1847A of the Social Security Act (42 U.S.C. 1395w-
13 4) to the extent that such payments are made based on
14 the average sales price for such drugs and biologicals.

15 (b) CONSTRUCTION.—Nothing in this section (other
16 than subsection (d)) shall be construed as affecting any
17 other payments under title XVIII of the Social Security
18 Act or any other Act (other than under this section) or
19 as requiring or authorizing the reduction of other pay-
20 ments, under such title or otherwise, by virtue of the appli-
21 cation of this section.

22 (c) GAO STUDY OF SHIFT IN LOCATION OF CANCER
23 CARE.—The Comptroller General of the United States
24 shall conduct a study that examines the shift of cancer
25 care from physician-run community cancer clinics to hos-
26 pitals and the consequences of this shift to costs to the

1 Federal Government and to Medicare beneficiaries for
2 cancer care under the Medicare program. Not later than
3 February 1, 2017, the Comptroller General shall submit
4 a report to Congress on the results of such study.

5 (d) IMPOSITION OF BUDGET NEUTRALITY.—If a
6 Presidential order described in subsection (a) is issued
7 with respect to fiscal year 2016 and is also issued with
8 respect to fiscal year 2024 (or with respect to fiscal year
9 2017 and also issued with respect to fiscal year 2025),
10 the amount of the aggregate payment reduction required
11 under such an order with respect to fiscal year 2024 (or
12 fiscal year 2025, respectfully) shall be increased by an
13 amount equivalent to the amount of the payment increase
14 resulting from the application of subsection (a) in fiscal
15 year 2016 (or fiscal year 2017, respectively).

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