

116TH CONGRESS
1ST SESSION

S. 1505

To require prescription drug plans and MA–PD plans to report potential fraud, waste, and abuse to the Secretary of Health and Human Services under Medicare part D, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 16, 2019

Mr. CORNYN (for himself and Mr. CARDIN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To require prescription drug plans and MA–PD plans to report potential fraud, waste, and abuse to the Secretary of Health and Human Services under Medicare part D, 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 “Medicare Prescription
5 Drug Fraud Prevention Act of 2019”.

1 **SEC. 2. REQUIRING PRESCRIPTION DRUG PLANS AND MA-**
2 **PD PLANS TO REPORT POTENTIAL FRAUD,**
3 **WASTE, AND ABUSE TO THE SECRETARY OF**
4 **HHS.**

5 Section 1860D–4 of the Social Security Act (42
6 U.S.C. 1395w–104) is amended—

7 (1) by redesignating subsection (m) (relating to
8 program integrity transparency measures), as added
9 by section 6063(c) of the Substance Use-Disorder
10 Prevention that Promotes Opioid Recovery and
11 Treatment for Patients and Communities Act (Pub-
12 lic Law 115–271), as subsection (n); and

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

15 “(o) REPORTING POTENTIAL FRAUD, WASTE, AND
16 ABUSE.—Beginning January 1, 2021, the PDP sponsor
17 of a prescription drug plan shall report to the Secretary,
18 as specified by the Secretary—

19 “(1) any substantiated or suspicious activities
20 (as defined by the Secretary) with respect to the
21 program under this part as it relates to fraud,
22 waste, and abuse; and

23 “(2) any steps made by the PDP sponsor after
24 identifying such activities to take corrective ac-
25 tions.”.