

116TH CONGRESS
2D SESSION

H. R. 7062

To amend title XVIII of the Social Security Act to eliminate cost-sharing with respect to coverage of insulin as a covered part D drug and associated medical supplies and to provide mail order access to insulin and such supplies under the Medicare program during the COVID–19 emergency period.

IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2020

Ms. WATERS (for herself, Mr. PAYNE, Mr. COHEN, Ms. NORTON, Ms. JACKSON LEE, Mr. BISHOP of Georgia, Mr. HASTINGS, Ms. BARRAGÁN, Mrs. BEATTY, Mr. SUOZZI, Ms. ROYBAL-ALLARD, Ms. GARCIA of Texas, Mr. MEEKS, Mr. WELCH, Mr. GARCÍA of Illinois, Ms. WILD, Mr. RUSH, Ms. WILSON of Florida, Ms. JOHNSON of Texas, Mr. MORELLE, Mr. THOMPSON of Mississippi, Ms. LEE of California, Mr. CARSON of Indiana, Mr. LARSON of Connecticut, Mr. LIPINSKI, and Mrs. HAYES) 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 with respect to coverage of insulin as a covered part D drug and associated medical supplies and to provide mail order access to insulin and such supplies under the Medicare program during the COVID–19 emergency period.

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 “Affordable Insulin for
 5 the COVID–19 Emergency Act”.

6 **SEC. 2. ELIMINATING COST-SHARING WITH RESPECT TO**
 7 **COVERAGE OF INSULIN AS A COVERED PART**
 8 **D DRUG AND ASSOCIATED MEDICAL SUP-**
 9 **PLIES UNDER THE MEDICARE PROGRAM**
 10 **DURING THE COVID–19 EMERGENCY PERIOD.**

11 (a) IN GENERAL.—Section 1860D–2 of the Social
 12 Security Act (42 U.S.C. 1395w–102) is amended—

13 (1) in subsection (b)—

14 (A) in paragraph (1)(A), by striking “The
 15 coverage” and inserting “Subject to paragraph
 16 (8), the coverage”;

17 (B) in paragraph (2)—

18 (i) in subparagraph (A), by inserting
 19 after “Subject to subparagraphs (C) and
 20 (D)” the following: “and paragraph (8)”;

21 (ii) in subparagraph (C)(i), by strik-
 22 ing “paragraph (4)” and inserting “para-
 23 graphs (4) and (8)”;

1 (iii) in subparagraph (D)(i), by strik-
2 ing “paragraph (4)” and inserting “para-
3 graphs (4) and (8)”;

4 (C) in paragraph (4)(A)(i), by striking
5 “The coverage” and inserting “Subject to para-
6 graph (8), the coverage”; and

7 (D) by adding at the end the following new
8 paragraph:

9 “(8) ELIMINATION OF COST-SHARING FOR IN-
10 SULIN AND ASSOCIATED MEDICAL SUPPLIES DURING
11 THE COVID–19 EMERGENCY PERIOD.—The coverage
12 does not impose any deductible, copayment, coinsur-
13 ance, or other cost-sharing for insulin (as described
14 in subparagraph (B) of subsection (e)(1)) or medical
15 supplies associated with the injection of insulin (as
16 described in such subparagraph) during the emer-
17 gency period described in section 1135(g)(1)(B).”;
18 and

19 (2) in subsection (c), by adding at the end the
20 following new paragraph:

21 “(4) SAME ELIMINATION OF COST-SHARING FOR
22 CERTAIN COVERED PART D DRUGS DURING THE
23 COVID–19 EMERGENCY PERIOD.—The coverage is in
24 accordance with subsection (b)(8).”.

1 (b) ELIMINATION OF COST-SHARING FOR INSULIN
 2 AND CERTAIN ASSOCIATED MEDICAL SUPPLIES FUR-
 3 NISHED TO PART D ELIGIBLE INDIVIDUALS WHO ARE
 4 SUBSIDY ELIGIBLE INDIVIDUALS.—Section 1860D–14(a)
 5 of the Social Security Act (42 U.S.C. 1395w–114(a)) is
 6 amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (D)—

9 (i) in clause (ii), by striking “In the
 10 case of” and inserting “Subject to sub-
 11 paragraph (F), in the case of”; and

12 (ii) in clause (iii), by striking “In the
 13 case of” and inserting “Subject to sub-
 14 paragraph (F), in the case of”; and

15 (B) by adding at the end the following new
 16 subparagraph:

17 “(F) ELIMINATION OF COST-SHARING FOR
 18 CERTAIN COVERED PART D DRUGS DURING THE
 19 COVID–19 EMERGENCY PERIOD.—Coverage that
 20 is in accordance with section 1860D–2(b)(8).”;
 21 and

22 (2) in paragraph (2)—

23 (A) in subparagraph (D), by striking “The
 24 substitution” and inserting “Subject to sub-
 25 paragraph (F), the substitution”;

(B) in subparagraph (E), by inserting after “Subject to” the following: “subparagraph (F) and”; and

(C) by adding at the end the following new subparagraph:

“(F) ELIMINATION OF COST-SHARING FOR CERTAIN COVERED PART D DRUGS DURING THE COVID-19 EMERGENCY PERIOD.—Coverage that is in accordance with section 1860D-2(b)(8).”.

SEC. 3. MAIL ORDER ACCESS OF INSULIN AND ASSOCIATED MEDICAL SUPPLIES UNDER THE MEDICARE PROGRAM DURING THE COVID-19 EMERGENCY PERIOD.

Section 1860D-4(b)(4)(A) of the Social Security Act (42 U.S.C. 1395w-104(b)(4)(A)) is amended—

(1) by striking “subject to subparagraph (B)” and inserting “subject to subparagraphs (B) and (C)”; and

(2) by adding at the end the following new subparagraph:

“(C) MAIL ORDER.—A prescription drug plan or MA-PD plan shall permit such part D eligible individual enrolled in such plan to obtain such fill or refill of insulin (as described in subparagraph (B) of section 1860D-2(e)(1)) or

1 medical supplies associated with the injection of
2 insulin (as described in such subparagraph), at
3 the option of such individual, by mail order to
4 the home of such individual.”.

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