

109TH CONGRESS
2^D SESSION

H. R. 4937

To amend part D of title XVIII of the Social Security Act to provide for continuity of coverage of prescription drugs under Medicare prescription drug plans for full-benefit dual eligible individuals.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2006

Mrs. WILSON of New Mexico 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 part D of title XVIII of the Social Security Act to provide for continuity of coverage of prescription drugs under Medicare prescription drug plans for 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. MEDICARE CONTINUITY OF COVERAGE OF PRE-**
4 **SCRIPTION DRUGS FOR FULL-BENEFIT DUAL**
5 **ELIGIBLE INDIVIDUALS.**

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

1 (1) in paragraph (1), by inserting “subject to
2 paragraph (6),” after “part C”; and

3 (2) by adding at the end the following new
4 paragraph:

5 “(6) CONTINUATION OF COVERAGE FOR FULL-
6 BENEFIT DUAL ELIGIBLE INDIVIDUALS
7 TRANSITIONING FROM MEDICAID COVERAGE.—In the
8 case of an individual who, as of date the individual
9 is first enrolled under a prescription drug plan under
10 this part (or an MA–PD plan under part D), is a
11 full-benefit dual eligible individual and is being pro-
12 vided medical assistance for a prescription drug or
13 biological under title XIX that may be covered as a
14 covered part D drug under this part, qualified pre-
15 scription drug coverage must include coverage for
16 such drug without the application of coverage limita-
17 tions, such as prior authorization or quantity limits,
18 unless a prescribing physician certifies that the cov-
19 erage of such drug is not medically necessary, re-
20 gardless of whether the individual subsequently re-
21 mains a full-benefit dual eligible individual.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 subsection (a) shall be effective as if included in the enact-

- 1 ment of Medicare Prescription Drug, Improvement, and
- 2 Modernization Act of 2003 (Public Law 108–173).

