

Calendar No. 672111TH CONGRESS
2^D SESSION**S. 4006**

To provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2010

Mr. BURR (for himself and Mr. COBURN) introduced the following bill; which was read the first time

DECEMBER 4, 2010

Read the second time and placed on the calendar

A BILL

To provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Addressing Cost Con-
3 tainment Measures To Ensure the Sustainability and Suc-
4 cess of ADAP Act” or the “ACCESS ADAP Act”.

5 **SEC. 2. AIDS DRUG ASSISTANCE PROGRAMS.**

6 (a) TRANSFER.—There shall be transferred to the
7 Secretary of Health and Human Services, \$101,000,000
8 from discretionary amounts appropriated under the Amer-
9 ican Recovery and Reinvestment Act (Public Law 111–
10 5) that remain unobligated, to be obligated by the Sec-
11 retary during the 2010 grant period under the AIDS Drug
12 Assistance Program (under section 2616 of the Public
13 Health Service Act (42 U.S.C. 300ff–26)) to provide as-
14 sistance in reducing AIDS Drug Assistance Program wait-
15 ing lists and to address other cost containment measures
16 that State AIDS Drug Assistance Programs implement
17 after January 1, 2009. Amounts transferred under this
18 section shall be used by States in a manner consistent with
19 their State AIDS Drug Assistance Program.

20 (b) ALLOCATIONS.—In allocating funds transferred
21 under subsection (a), the Secretary of Health and Human
22 Services shall—

23 (1) give special consideration to both the total
24 scope, and the basis, of a State’s AIDS Drug Assist-
25 ance Program needs, including the total number of
26 patients on a waiting list, eligibility requirements,

1 and other cost containment measures implemented
2 by a State's AIDS Drug Assistance Program; and

3 (2) ensure that funds shall only be used to pro-
4 vide treatments to individuals who—

5 (A) were eligible to participate in the State
6 AIDS Drug Assistance Program on the date of
7 enactment of this Act; or

8 (B) would have been eligible to participate
9 in the State AIDS Drug Assistance Program
10 but because of the implementation of cost-con-
11 tainment measures after January 1, 2009, were
12 not so eligible.

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