To amend title XVIII of the Social Security Act to enhance prescription drug affordability by expanding access to assistance with out-of-pocket costs under Medicare part D for low-income seniors and individuals with disabilities.

IN THE SENATE OF THE UNITED STATES
MARCH 7, 2019

Mr. CASEY (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL
To amend title XVIII of the Social Security Act to enhance prescription drug affordability by expanding access to assistance with out-of-pocket costs under Medicare part D for low-income seniors and individuals with disabilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Medicare Extra Rx Higher Eligibility Limits in Part D Act of 2019” or the “Medicare Extra Rx HELP Act of 2019”.

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SEC. 2. ENHANCING PRESCRIPTION DRUG AFFORDABILITY

BY EXPANDING ACCESS TO ASSISTANCE WITH

OUT-OF-POCKET COSTS UNDER MEDICARE

PART D FOR LOW-INCOME SENIORS AND IN-

DIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Section 1860D–14 of the Social
Security Act (42 U.S.C. 1395w–114) is amended—

(1) in subsection (a)—

(A) in the heading, by striking “150 PER-
CENT” and inserting “200 PERCENT”;

(B) in paragraph (1)—

(i) in the heading, by striking “135
PERCENT” and inserting “200 PERCENT”;

and

(ii) in the matter preceding subpara-
graph (A)—

(I) by striking “135 percent” and
inserting “200 percent”; and

(II) by striking “and who meets
the resources requirement described in
paragraph (3)(D) or who is covered
under this paragraph under para-
graph (3)(B)(i)” and inserting “or
who is covered under this paragraph
under paragraph (3)(B)(v)”;

(C) by striking paragraph (2);
(D) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by adding “and” at the end;

(II) in clause (ii)—

(aa) by striking “150 percent” and inserting “200 percent”; and

(bb) by striking “; and” at the end and inserting a period;

and

(III) by striking clause (iii); and

(ii) by striking subparagraphs (D), (E), and (G); and

(E) in paragraph (4), by striking subparagraph (B); and

(2) in subsection (c)(1), in the second sentence, by striking “subsections (a)(1)(D) and (a)(2)(E)” and inserting “subsection (a)(1)(D)”.

(b) CONFORMING AMENDMENT.—Section 1905(p)(1) of the Social Security Act (42 U.S.C. 1396d(p)(1)) is amended by adding at the end the following flush matter:

“The Secretary shall apply subparagraph (C) as if the amendments made by section 2(a) of the Medicare Extra Rx Higher Eligibility Limits in Part D Act of 2019 had
not been enacted and shall continue to calculate the maximum resource level applied for a year under section 1860D–14(a)(3)(D) (as in effect on the day before the date of enactment of such Act) without regard to such amendments.”.

(c) Effective Date.—The amendments made by subsection (a) shall apply to plan year 2020 and subsequent plan years.