

116TH CONGRESS  
1ST SESSION

# S. 691

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.

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## 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

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## 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.

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 Extra Rx  
5 Higher Eligibility Limits in Part D Act of 2019” or the  
6 “Medicare Extra Rx HELP Act of 2019”.

1 **SEC. 2. ENHANCING PRESCRIPTION DRUG AFFORDABILITY**  
2 **BY EXPANDING ACCESS TO ASSISTANCE WITH**  
3 **OUT-OF-POCKET COSTS UNDER MEDICARE**  
4 **PART D FOR LOW-INCOME SENIORS AND IN-**  
5 **DIVIDUALS WITH DISABILITIES.**

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

8 (1) in subsection (a)—

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

11 (B) in paragraph (1)—

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

14 and

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

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

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

26 (C) by striking paragraph (2);

1 (D) in paragraph (3)—

2 (i) in subparagraph (A)—

3 (I) in clause (i), by adding “and”

4 at the end;

5 (II) in clause (ii)—

6 (aa) by striking “150 per-

7 cent” and inserting “200 per-

8 cent”; and

9 (bb) by striking “; and” at

10 the end and inserting a period;

11 and

12 (III) by striking clause (iii); and

13 (ii) by striking subparagraphs (D),

14 (E), and (G); and

15 (E) in paragraph (4), by striking subpara-

16 graph (B); and

17 (2) in subsection (e)(1), in the second sentence,

18 by striking “subsections (a)(1)(D) and (a)(2)(E)”

19 and inserting “subsection (a)(1)(D)”.

20 (b) CONFORMING AMENDMENT.—Section 1905(p)(1)

21 of the Social Security Act (42 U.S.C. 1396d(p)(1)) is

22 amended by adding at the end the following flush matter:

23 “The Secretary shall apply subparagraph (C) as if the

24 amendments made by section 2(a) of the Medicare Extra

25 Rx Higher Eligibility Limits in Part D Act of 2019 had

1 not been enacted and shall continue to calculate the max-  
2 imum resource level applied for a year under section  
3 1860D–14(a)(3)(D) (as in effect on the day before the  
4 date of enactment of such Act) without regard to such  
5 amendments.”.

6 (c) EFFECTIVE DATE.—The amendments made by  
7 subsection (a) shall apply to plan year 2020 and subse-  
8 quent plan years.

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