

117TH CONGRESS
1ST SESSION

H. R. 2179

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

MARCH 23, 2021

Ms. WATERS (for herself, Mr. GRIJALVA, Mr. MCGOVERN, Ms. NORTON, Ms. CHU, Ms. BARRAGÁN, Mr. BISHOP of Georgia, Mrs. WATSON COLEMAN, Mr. CARSON, Mr. COHEN, Ms. MCCOLLUM, Mr. MORELLE, Ms. JACKSON LEE, Ms. GARCIA of Texas, Mr. KHANNA, Ms. PRESSLEY, Mr. HASTINGS, Mrs. HAYES, Mr. MEEKS, Mr. SAN NICOLAS, Mr. PAYNE, Ms. TLAIB, Ms. ADAMS, Mr. THOMPSON of Mississippi, Ms. LEE of California, Mr. SUOZZI, Ms. SEWELL, Mr. BROWN, Ms. BASS, Mrs. LAWRENCE, Mr. WELCH, Mr. TORRES of New York, Mr. DEFAZIO, Ms. UNDERWOOD, and Mr. KILDEE) 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”;

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

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

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

10 **SEC. 3. MAIL ORDER ACCESS OF INSULIN AND ASSOCIATED**
11 **MEDICAL SUPPLIES UNDER THE MEDICARE**
12 **PROGRAM DURING THE COVID–19 EMER-**
13 **GENCY PERIOD.**

14 Section 1860D–4(b)(4)(A) of the Social Security Act
15 (42 U.S.C. 1395w–104(b)(4)(A)) is amended—

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

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(C) MAIL ORDER.—A prescription drug
22 plan or MA–PD plan shall permit such part D
23 eligible individual enrolled in such plan to ob-
24 tain such fill or refill of insulin (as described in
25 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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