

119TH CONGRESS
1ST SESSION

H. R. 1922

To amend title XVIII of the Social Security Act to exempt certain drugs from the part D manufacturer discount program under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2025

Mr. GARBARINO (for himself, Mrs. HARSHBARGER, and Mr. SUOZZI) 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 exempt certain drugs from the part D manufacturer discount program under the Medicare program.

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 “Ensuring Access to
5 Essential Drugs Act”.

1 **SEC. 2. EXEMPTING CERTAIN DRUGS FROM THE PART D**
2 **MANUFACTURER DISCOUNT PROGRAM**
3 **UNDER THE MEDICARE PROGRAM.**

4 Section 1860D–14C(g)(2) of the Social Security Act
5 (42 U.S.C. 1395w–114c(g)(2)) is amended—

6 (1) in subparagraph (A), by striking “and” at
7 the end;

8 (2) in subparagraph (B), by striking the period
9 and inserting “; and”; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(C) does not include an orally adminis-
13 tered drug—

14 “(i) for which a new drug application
15 was approved under section 505 of the
16 Federal Food, Drug, and Cosmetic Act;
17 and

18 “(ii) that has been granted a narrow
19 exception permitting reclassification as a
20 noninnovator multiple source drug under
21 the Medicaid drug rebate program by the
22 Centers for Medicare & Medicaid Serv-
23 ices.”.

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