

107TH CONGRESS
2^D SESSION

H. R. 4930

To amend title XVIII of the Social Security Act to establish a Medicare prescription drug discount card endorsement program.

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2002

Mrs. CAPITO 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 establish a Medicare prescription drug discount card endorsement 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 “Senior Prescription
5 Savings Now Act of 2002”.

1 **SEC. 2. MEDICARE PRESCRIPTION DRUG DISCOUNT CARD**
2 **ENDORSEMENT PROGRAM.**

3 Title XVIII of the Social Security Act is amended by
4 inserting after section 1806 the following new section:

5 “MEDICARE PRESCRIPTION DRUG DISCOUNT CARD
6 ENDORSEMENT PROGRAM

7 “SEC. 1807. (a) IN GENERAL.—The Secretary shall
8 establish a program—

9 “(1) to endorse prescription drug discount card
10 programs that meet the requirements of this section;
11 and

12 “(2) to make available to medicare beneficiaries
13 information regarding such endorsed programs.

14 “(b) REQUIREMENTS FOR ENDORSEMENT.—The
15 Secretary may not endorse a prescription drug discount
16 card program under this section unless the program meets
17 the following requirements:

18 “(1) SAVINGS TO MEDICARE BENEFICIARIES.—
19 The program passes on to medicare beneficiaries
20 who enroll in the program discounts on prescription
21 drugs, including discounts negotiated with manufac-
22 turers.

23 “(2) PROHIBITION ON APPLICATION ONLY TO
24 MAIL ORDER.—The program applies to drugs that
25 are available other than solely through mail order.

1 “(3) BENEFICIARY SERVICES.—The program
2 provides pharmaceutical support services, such as
3 education and counseling, and services to prevent
4 adverse drug interactions.

5 “(4) INFORMATION.—The program makes
6 available to medicare beneficiaries through the Inter-
7 net and otherwise information, including information
8 on enrollment fees, prices charged to beneficiaries,
9 and services offered under the program, that the
10 Secretary identifies as being necessary to provide for
11 informed choice by beneficiaries among endorsed
12 programs.

13 “(5) DEMONSTRATED EXPERIENCE.—The enti-
14 ty operating the program has demonstrated experi-
15 ence and expertise in operating such a program or
16 a similar program.

17 “(6) QUALITY ASSURANCE.—The entity has in
18 place adequate procedures for assuring quality serv-
19 ice under the program.

20 “(7) ADDITIONAL BENEFICIARY PROTEC-
21 TIONS.—The program meets such additional require-
22 ments as the Secretary identifies to protect and pro-
23 mote the interest of medicare beneficiaries, including
24 requirements that ensure that beneficiaries are not

1 charged more than the lower of the negotiated retail
2 price or the usual and customary price.

3 “(c) PROGRAM OPERATION.—The Secretary shall op-
4 erate the program under this section consistent with the
5 following:

6 “(1) PROMOTION OF INFORMED CHOICE.—In
7 order to promote informed choice among endorsed
8 prescription drug discount card programs, the Sec-
9 retary shall provide for the dissemination of infor-
10 mation which compares the costs and benefits of
11 such programs in a manner coordinated with the
12 dissemination of educational information on
13 Medicare+Choice plans under part C.

14 “(2) OVERSIGHT.—The Secretary shall provide
15 appropriate oversight to ensure compliance of en-
16 dored programs with the requirements of this sec-
17 tion, including verification of the discounts and serv-
18 ices provided.

19 “(3) USE OF MEDICARE TOLL-FREE NUMBER.—
20 The Secretary shall provide through the 1-800-medi-
21 care toll free telephone number for the receipt and
22 response to inquiries and complaints concerning the
23 program and programs endorsed under this section.

24 “(4) DISQUALIFICATION FOR ABUSIVE PRAC-
25 TICES.—The Secretary shall revoke the endorsement

1 of a program that the Secretary determines no
2 longer meets the requirements of this section or that
3 has engaged in false or misleading marketing prac-
4 tices.

5 “(5) ENROLLMENT PRACTICES.—A medicare
6 beneficiary may not be enrolled in more than one en-
7 dorsed program at any time.

8 “(d) TRANSITION.—The Secretary shall provide for
9 an appropriate transition and discontinuation of the pro-
10 gram under this section at the time outpatient prescrip-
11 tion drug benefits first become available under a part D.

12 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated such sums as may be
14 necessary to carry out the program under this section.”.

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