

117TH CONGRESS
1ST SESSION

S. 1773

To amend title XI of the Social Security Act to establish internet website-based dashboards to allow the public to review information on spending for, and utilization of, prescription drugs and biologicals covered under the Medicare and Medicaid programs.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2021

Mr. CASEY (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XI of the Social Security Act to establish internet website-based dashboards to allow the public to review information on spending for, and utilization of, prescription drugs and biologicals covered under the Medicare and Medicaid programs.

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 “Prescription Drug
5 Pricing Dashboard Act”.

1 **SEC. 2. PRESCRIPTION DRUG PRICING DASHBOARDS.**

2 Part A of title XI of the Social Security Act is
3 amended by adding at the end the following new section:

4 **“SEC. 1150D. PRESCRIPTION DRUG PRICING DASHBOARDS.**

5 “(a) IN GENERAL.—Beginning not later than Janu-
6 ary 1, 2022, the Secretary shall establish, and annually
7 update, internet website-based dashboards, through which
8 beneficiaries, clinicians, researchers, and the public can re-
9 view information on spending for, and utilization of, pre-
10 scription drugs and biologicals (and related supplies and
11 mechanisms of delivery) covered under each of parts B
12 and D of title XVIII and under a State program under
13 title XIX, including information on trends of such spend-
14 ing and utilization over time.

15 “(b) MEDICARE PART B DRUG AND BIOLOGICAL
16 DASHBOARD.—

17 “(1) IN GENERAL.—The dashboard established
18 under subsection (a) for part B of title XVIII shall
19 provide the information described in paragraph (2).

20 “(2) INFORMATION DESCRIBED.—The informa-
21 tion described in this paragraph is the following in-
22 formation with respect to drug or biologicals covered
23 under such part B:

24 “(A) The brand name and, if applicable,
25 the generic names of the drug or biological.

1 “(B) Consumer-friendly information on the
2 uses and clinical indications of the drug or bio-
3 logical.

4 “(C) The manufacturer or labeler of the
5 drug or biological.

6 “(D) To the extent feasible, the following
7 information:

8 “(i) Average total spending per dos-
9 age unit of the drug or biological in the
10 most recent 2 calendar years for which
11 data is available.

12 “(ii) The percentage change in aver-
13 age spending on the drug or biological per
14 dosage unit between the most recent cal-
15 endar year for which data is available
16 and—

17 “(I) the preceding calendar year;
18 and

19 “(II) the preceding 5 and 10 cal-
20 endar years.

21 “(iii) The annual growth rate in aver-
22 age spending per dosage unit of the drug
23 or biological in the most recent 5 or 10
24 calendar years for which data is available.

1 “(iv) Total spending for the drug or
2 biological for the most recent calendar year
3 for which data is available.

4 “(v) The number of beneficiaries re-
5 ceiving the drug or biological in the most
6 recent calendar year for which data is
7 available.

8 “(vi) Average spending on the drug
9 per beneficiary for the most recent cal-
10 endar year for which data is available.

11 “(E) The average sales price of the drug
12 or biological (as determined under section
13 1847A) for the most recent quarter.

14 “(F) Consumer-friendly information about
15 the coinsurance amount for the drug or biologi-
16 cal for beneficiaries for the most recent quarter.
17 Such information shall not include coinsurance
18 amounts for qualified medicare beneficiaries (as
19 defined in section 1905(p)(1)).

20 “(G) For the most recent calendar year for
21 which data is available—

22 “(i) the 15 drugs and biologicals with
23 the highest total spending under such part;
24 and

1 “(ii) any drug or biological for which
 2 the average annual per beneficiary spend-
 3 ing exceeds the gross spending for covered
 4 part D drugs at which the annual out-of-
 5 pocket threshold under section 1860D-
 6 2(b)(4)(B) would be met for the year.

7 “(H) Other information (not otherwise
 8 prohibited in law from being disclosed) that the
 9 Secretary determines would provide bene-
 10 ficiaries, clinicians, researchers, and the public
 11 with helpful information about drug and bio-
 12 logical spending and utilization (including
 13 trends of such spending and utilization).

14 “(c) MEDICARE COVERED PART D DRUG DASH-
 15 BOARD.—

16 “(1) IN GENERAL.—The dashboard established
 17 under subsection (a) for part D of title XVIII shall
 18 provide the information described in paragraph (2).

19 “(2) INFORMATION DESCRIBED.—The informa-
 20 tion described in this paragraph is the following in-
 21 formation with respect to covered part D drugs
 22 under such part D:

23 “(A) The information described in sub-
 24 paragraphs (A) through (D) of subsection
 25 (b)(2).

1 “(B) Information on average annual bene-
2 ficiary out-of-pocket costs below and above the
3 annual out-of-pocket threshold under section
4 1860D–2(b)(4)(B) for the current plan year.
5 Such information shall not include out-of-pocket
6 costs for subsidy eligible individuals under sec-
7 tion 1860D–14.

8 “(C) Information on how to access re-
9 sources as described in sections 1860D–1(c)
10 and 1851(d).

11 “(D) For the most recent calendar year for
12 which data is available—

13 “(i) the 15 covered part D drugs with
14 the highest total spending under such part;
15 and

16 “(ii) any covered part D drug for
17 which the average annual per beneficiary
18 spending exceeds the gross spending for
19 covered part D drugs at which the annual
20 out-of-pocket threshold under section
21 1860D–2(b)(4)(B) would be met for the
22 year.

23 “(E) Other information (not otherwise pro-
24 hibited in law from being disclosed) that the
25 Secretary determines would provide bene-

1 ficiaries, clinicians, researchers, and the public
 2 with helpful information about covered part D
 3 drug spending and utilization (including trends
 4 of such spending and utilization).

5 “(d) MEDICAID COVERED OUTPATIENT DRUG DASH-
 6 BOARD.—

7 “(1) IN GENERAL.—The dashboard established
 8 under subsection (a) for title XIX shall provide the
 9 information described in paragraph (2).

10 “(2) INFORMATION DESCRIBED.—The informa-
 11 tion described in this paragraph is the following in-
 12 formation with respect to covered outpatient drugs
 13 under such title:

14 “(A) The information described in sub-
 15 paragraphs (A) through (D) of subsection
 16 (b)(2).

17 “(B) For the most recent calendar year for
 18 which data is available, the 15 covered out-
 19 patient drugs with the highest total spending
 20 under such title.

21 “(C) Other information (not otherwise pro-
 22 hibited in law from being disclosed) that the
 23 Secretary determines would provide bene-
 24 ficiaries, clinicians, researchers, and the public
 25 with helpful information about covered out-

1 patient drug spending and utilization (including
2 trends of such spending and utilization).

3 “(e) DATA FILES.—The Secretary shall make avail-
4 able the underlying data for each dashboard established
5 under subsection (a) in a machine-readable format.”.

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