

117TH CONGRESS
2D SESSION

S. 3778

To amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States.

IN THE SENATE OF THE UNITED STATES

MARCH 8 (legislative day, MARCH 7), 2022

Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States.

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 “Territories Medicare
5 Prescription Drug Assistance Equity Act of 2022”.

1 **SEC. 2. ELIMINATING EXCLUSION OF PART D ELIGIBLE IN-**
 2 **DIVIDUALS RESIDING IN TERRITORIES FROM**
 3 **ELIGIBILITY FOR PREMIUM AND COST-SHAR-**
 4 **ING SUBSIDIES.**

5 (a) IN GENERAL.—Section 1860D–14(a)(3) of the
 6 Social Security Act (42 U.S.C. 1395w–114(a)(3)) is
 7 amended—

8 (1) in subparagraph (A), in the matter pre-
 9 ceding clause (i), by striking “subject to subpara-
 10 graph (F),”;

11 (2) in subparagraph (B)(v), in the matter pre-
 12 ceding subclause (I), by striking “Subject to sub-
 13 paragraph (F), the Secretary” and inserting “The
 14 Secretary”;

15 (3) in subparagraph (C), by adding at the end
 16 the following new sentence: “In the case of an indi-
 17 vidual who is not a resident of the 50 States or the
 18 District of Columbia, the poverty line (as such term
 19 is defined in clause (ii)) that shall apply to such in-
 20 dividual shall be the poverty line for the 48 contig-
 21 uous States and the District of Columbia.”; and

22 (4) by striking subparagraph (F).

23 (b) APPLICATION OF MEDICAID PROVISIONS.—Sec-
 24 tion 1935 of the Social Security Act (42 U.S.C. 1396u–
 25 5) is amended—

1 (1) in subsection (a), by striking “subject to
2 subsection (e)” in the matter preceding paragraph
3 (1); and

4 (2) by striking subsection (e).

5 (c) CONFORMING AMENDMENT.—Section 1108(f) of
6 the Social Security Act (42 U.S.C. 1308(f)) is amended
7 by striking “and section 1935(e)(1)(B)” in the matter pre-
8 ceding clause (i).

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall take effect on January 1, 2023.

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