

119TH CONGRESS
1ST SESSION

H. R. 1476

To amend title XVIII of the Social Security Act to provide a phase-in for plasma-derived products under the manufacturer discount program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 2025

Mr. HUDSON (for himself, Mr. DAVIS of North Carolina, Mr. MURPHY, and Mr. PETERS) 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 provide a phase-in for plasma-derived products under the manufacturer discount 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 “Preserving Life-saving
5 Access to Specialty Medicines in America Act” or the
6 “PLASMA Act”.

1 **SEC. 2. PHASE-IN FOR PLASMA-DERIVED PRODUCTS UNDER**
 2 **MANUFACTURER DISCOUNT PROGRAM.**

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

5 (1) in subparagraph (A), in the matter pre-
 6 ceding clause (i), by striking “and (C)” and insert-
 7 ing “, (C), and (D)”;

8 (2) by redesignating subparagraphs (D) and
 9 (E) as subparagraphs (E) and (F), respectively; and

10 (3) by inserting after subparagraph (C) the fol-
 11 lowing:

12 “(D) PHASE-IN FOR PLASMA-DERIVED
 13 PRODUCTS.—

14 “(i) IN GENERAL.—For 2026 and
 15 subsequent years, subject to clause (iv), in
 16 the case of an applicable drug of a manu-
 17 facturer that is a plasma-derived product
 18 (as defined in clause (ii)), and that is mar-
 19 keted as of August 16, 2022, and dis-
 20 pensed for an applicable beneficiary, the
 21 term ‘discounted price’ means the specified
 22 plasma-derived product percent (as defined
 23 in clause (iii)) of the negotiated price of
 24 the applicable drug of the manufacturer.

25 “(ii) PLASMA-DERIVED PRODUCT.—In
 26 this subparagraph, the term ‘plasma-de-

1 rived product’ means an applicable drug
2 that is a biological product that is derived
3 from human whole blood or plasma.

4 “(iii) SPECIFIED PLASMA-DERIVED
5 PRODUCT PERCENT.—In this subpara-
6 graph, the term ‘specified plasma-derived
7 product percent’ means, with respect to a
8 year—

9 “(I) for an applicable drug that
10 is a plasma-derived product dispensed
11 for an applicable beneficiary who has
12 not incurred costs, as determined in
13 accordance with section 1860D–
14 2(b)(4)(C), for covered part D drugs
15 in the year that are equal to or exceed
16 the annual out-of-pocket threshold
17 specified in section 1860D–
18 2(b)(4)(B)(i) for the year—

19 “(aa) for 2026, 99 percent;

20 “(bb) for 2027, 98 percent;

21 “(cc) for 2028, 95 percent;

22 “(dd) for 2029, 92 percent;

23 and

24 “(ee) for 2030 and each
25 subsequent year, 90 percent; and

1 “(II) for an applicable drug that
 2 is a plasma-derived product dispensed
 3 for an applicable beneficiary who has
 4 incurred costs, as determined in ac-
 5 cordance with section 1860D–
 6 2(b)(4)(C), for covered part D drugs
 7 in the year that are equal to or exceed
 8 the annual out-of-pocket threshold
 9 specified in section 1860D–
 10 2(b)(4)(B)(i) for the year—

11 “(aa) for 2026, 99 percent;
 12 “(bb) for 2027, 98 percent;
 13 “(cc) for 2028, 95 percent;
 14 “(dd) for 2029, 92 percent;
 15 “(ee) for 2030, 90 percent;
 16 “(ff) for 2031, 85 percent;
 17 and

18 “(gg) for 2032 and each
 19 subsequent year, 80 percent.

20 “(iv) LIMITATIONS.—This subpara-
 21 graph shall not apply with respect to the
 22 following:

23 “(I) CERTAIN DRUGS DISPENSED
 24 TO LIS BENEFICIARIES.—An applica-

1 ble drug described in subparagraph
2 (B)(i).

3 “(II) SPECIFIED SMALL MANU-
4 FACTURERS.—An applicable drug de-
5 scribed in subparagraph (C)(i).”.

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