

117TH CONGRESS
1ST SESSION

H. R. 5623

To amend title XVIII of the Social Security Act to prohibit price concessions with respect to insulin drugs and exceptions under part D of Medicare, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 2021

Mr. GROTHMAN 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 prohibit price concessions with respect to insulin drugs and exceptions under part D of Medicare, and for other purposes.

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 “The Insulin Cost Re-
5 duction Act”.

1 **SEC. 2. PROHIBITION OF PRICE CONCESSIONS WITH RE-**
2 **SPECT TO INSULIN DRUGS AND EXCEPTIONS**
3 **UNDER PART D OF MEDICARE.**

4 (a) IN GENERAL.—Section 1860D–2(d)(1) of the So-
5 cial Security Act (42 U.S.C. 1395w–102(d)(1)) is amend-
6 ed—

7 (1) in subparagraph (A), by striking “Under”
8 and inserting “Subject to subparagraph (D),
9 under”; and

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

12 “(D) PROHIBITION OF PRICE CONCESSIONS
13 WITH RESPECT TO INSULIN DRUGS AND EXCEP-
14 TIONS.—For plan years beginning 180 days
15 after the date of the enactment of this subpara-
16 graph, no price concessions negotiated between
17 manufacturers and a prescription drug plan or
18 MA–PD plan shall be permitted with respect to
19 an insulin drug (as determined by the Sec-
20 retary), unless—

21 “(i) such price concessions provided
22 under such a plan shall be provided to en-
23 rollees of such a plan at pharmacies or by
24 mail order service at the point-of-sale of
25 such insulin drugs; or

1 “(ii) the cost-sharing required with re-
2 spect to such insulin drugs shall be cal-
3 culated in a manner that takes into ac-
4 count any amounts received pursuant to
5 such price concessions.”.

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