

118TH CONGRESS
1ST SESSION

H. R. 5386

To amend title XVIII of the Social Security Act to provide for adjustments to the Medicare part D cost-sharing reductions for low-income individuals.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2023

Mr. MCGARVEY (for himself and Mr. BILIRAKIS) 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 for adjustments to the Medicare part D cost-sharing reductions for low-income individuals.

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 “Cutting Copays Act”.

1 **SEC. 2. ADJUSTMENTS TO MEDICARE PART D COST-SHAR-**
2 **ING REDUCTIONS FOR LOW-INCOME INDIVID-**
3 **UALS.**

4 Section 1860D–14(a) of the Social Security Act (42
5 U.S.C. 1395w–114(a)) is amended in paragraph
6 (1)(D)(ii)—

7 (1) by striking “that does not exceed \$1 for”
8 and all that follows through the period at the end
9 and inserting “that does not exceed—

10 “(I) for plan years before plan
11 year 2024—

12 “(aa) for a generic drug or a
13 preferred drug that is a multiple
14 source drug (as defined in section
15 1927(k)(7)(A)(i)), \$1 or, if less,
16 the copayment amount applicable
17 to an individual under clause
18 (iii); and

19 “(bb) for any other drug, \$3
20 or, if less, the copayment amount
21 applicable to an individual under
22 clause (iii); and”;

23 (2) by adding at the end the following new sub-
24 clauses:

25 “(II) for plan year 2024—

1 “(aa) for a generic drug, \$0;
2 and

3 “(bb) for any other drug,
4 the dollar amount applied under
5 this clause (after application of
6 paragraph (4)(A)) for plan year
7 2023 for a drug described in sub-
8 clause (I)(bb); and

9 “(III) for a subsequent year, the
10 dollar amount applied under this
11 clause for the previous year for the
12 drug, increased by the annual percent-
13 age increase in the consumer price
14 index (all items; U.S. city average) as
15 of September of such previous year.”.

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