

115TH CONGRESS
2D SESSION

H. R. 6488

To amend title XI of the Social Security Act to exempt from certain criminal penalties the offering and use of certain pharmaceutical manufacturer copayment coupons to waive or reduce cost-sharing otherwise applied under the Medicare prescription drug benefit.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2018

Mr. BARTON (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania) 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 XI of the Social Security Act to exempt from certain criminal penalties the offering and use of certain pharmaceutical manufacturer copayment coupons to waive or reduce cost-sharing otherwise applied under the Medicare prescription drug benefit.

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 “Seniors Accessing
5 Vouchers Equally Act” or the “SAVE Act”.

1 **SEC. 2. EXEMPTING FROM CERTAIN CRIMINAL PENALTIES**
2 **THE OFFERING AND USE OF CERTAIN PHAR-**
3 **MACEUTICAL MANUFACTURER COUPONS TO**
4 **WAIVE OR REDUCE COST-SHARING OTHER-**
5 **WISE APPLIED UNDER THE MEDICARE PRE-**
6 **SCRIPTION DRUG BENEFIT.**

7 (a) IN GENERAL.—Section 1128B(b)(3)(G) of the
8 Social Security Act (42 U.S.C. 1320a–7b(b)(3)(G)) is
9 amended—

10 (1) by striking “the waiver or reduction by
11 pharmacies” and inserting “(i) the waiver or reduc-
12 tion by pharmacies”;

13 (2) by inserting “and” after “that section);”;
14 and

15 (3) by adding at the end the following:

16 “(ii) with respect to a covered part D drug
17 of a manufacturer, the waiver or reduction (not
18 otherwise described in clause (i)) by pharmacies
19 (including pharmacies of the Indian Health
20 Service, Indian tribes, tribal organizations, and
21 urban Indian organizations) or the manufac-
22 turer of any cost-sharing imposed under part D
23 of title XVIII for such drug through the use of
24 a pharmaceutical manufacturer coupon, but
25 only if there is not a generic version of such
26 drug;”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply with respect to covered part D
3 drugs dispensed on or after January 1, 2019.

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