

114TH CONGRESS
2D SESSION

S. _____

To amend title XVIII of the Social Security Act to prevent catastrophic out-of-pocket spending on prescription drugs for seniors and individuals with disabilities.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to prevent catastrophic out-of-pocket spending on prescription drugs for seniors and individuals with disabilities.

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 “Reducing Existing
5 Costs Associated with Pharmaceuticals for Seniors Act of
6 2016” or the “RxCAP Act of 2016”.

1 **SEC. 2. ELIMINATION OF COST-SHARING ABOVE THE MEDI-**
2 **CARE PART D ANNUAL OUT-OF-POCKET**
3 **THRESHOLD.**

4 (a) IN GENERAL.—Section 1860D–2(b)(4)(A) of the
5 Social Security Act (42 U.S.C. 1395w–102(b)(4)(A)) is
6 amended—

7 (1) in clause (i)—

8 (A) by redesignating subclauses (I) and
9 (II) as items (aa) and (bb), respectively;

10 (B) by striking “subparagraph (B), with
11 cost-sharing” and inserting the following: “sub-
12 paragraph (B)—

13 “(I) for plan years 2006 through
14 2017, with cost-sharing”;

15 (C) in item (bb), as redesignated by sub-
16 paragraph (A), by striking the period at the
17 end and inserting “; and”; and

18 (D) by adding at the end the following new
19 subclause:

20 “(II) for plan year 2018 and sub-
21 sequent plan years, without any cost-
22 sharing.”; and

23 (2) in clause (ii)—

24 (A) by striking “clause (i)(I)” and insert-
25 ing “clause (i)(I)(aa)”; and

1 (B) by adding at the end the following new
2 sentence: “The Secretary shall continue to cal-
3 culate the dollar amounts specified in clause
4 (i)(I)(aa), including with the adjustment under
5 this clause, after plan year 2017 for purposes
6 of 1860D–14(a)(1)(D)(iii).”.

7 (b) CONFORMING AMENDMENTS TO LOW-INCOME
8 SUBSIDY.—Section 1860D–14(a) of the Social Security
9 Act (42 U.S.C. 1395w–114(a)) is amended—

10 (1) in paragraph (1)—

11 (A) in subparagraph (D)(iii), by striking
12 “1860D–2(b)(4)(A)(i)(I)” and inserting
13 “1860D–2(b)(4)(A)(i)(I)(aa)”; and

14 (B) in subparagraph (E)—

15 (i) in the heading, by inserting
16 “PRIOR TO THE ELIMINATION OF SUCH
17 COST-SHARING FOR ALL INDIVIDUALS”
18 after “THRESHOLD”; and

19 (ii) by striking “The elimination” and
20 inserting “For plan years 2006 through
21 2017, the elimination”; and

22 (2) in paragraph (2)(E)—

23 (A) in the heading, by inserting “PRIOR TO
24 THE ELIMINATION OF SUCH COST-SHARING FOR
25 ALL INDIVIDUALS” after “THRESHOLD”;

1 (B) by striking “Subject to” and inserting
2 “For plan years 2006 through 2017, subject
3 to”; and

4 (C) by striking “1860D–2(b)(4)(A)(i)(I)”
5 and inserting “1860D–2(b)(4)(A)(i)(I)(aa)”.