AMENDMENT

Offered by M_.

Add at the end of title II the following new section (and update the table of contents accordingly):

1	SEC. 203. REQUIREMENT TO PROVIDE 100 PERCENT OF
2	CERTAIN NEGOTIATED PRICE CONCESSIONS
3	FOR INSULIN AT POINT-OF-SALE UNDER
4	PART D OF MEDICARE PROGRAM.
5	(a) IN GENERAL.—Section 1860D–2(d)(1) of the So-
6	cial Security Act (42 U.S.C. 1395w–102(d)(1)) is amend-
7	ed—
8	(1) in subparagraph (A), by striking "Under"
9	and inserting "Subject to subparagraph (D),
10	under"; and
11	(2) by adding at the end the following new sub-
12	paragraph:
13	"(D) REQUIREMENT TO PROVIDE 100 PER-
14	CENT OF CERTAIN NEGOTIATED PRICE CONCES-
15	SIONS FOR INSULIN AT POINT-OF-SALE.—
16	"(i) IN GENERAL.—Subject to clause
17	(ii), for plan years beginning on or after
18	January 1, 2022, 100 percent of the price
19	concessions negotiated between manufac-

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1 turers and a prescription drug plan or 2 MA–PD plan and taken into account 3 under subparagraph (B) in determining 4 negotiated prices for covered part D drugs that are insulin provided under such a plan 5 6 shall be provided to enrollees of such a 7 plan at pharmacies or by mail order service 8 at the point-of-sale of such drugs.

"(ii) 9 MODIFICATION OF MINIMUM 10 PERCENTAGE.—The Secretary may, 11 through notice and comment rulemaking, 12 modify the minimum percentage required 13 under clause (i), except that in no case 14 may such minimum percentage be less 15 than 50 percent for plan years beginning 16 on or after January 1, 2024.".

17 (b) STUDY AND REPORT.—Not later than two years 18 after the date of the enactment of this Act, the Comp-19 troller General of the United States shall conduct a study 20 and submit to the Committees on Energy and Commerce, 21 Ways and Means, and Education and Labor of the House 22 of Representatives and the Committees on Finance and 23 Health, Education, Labor, and Pensions of the Senate a 24 report on the effects of the implementation of the requirement described in subparagraph (D) of section 1860D-25

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2(d)(1) of the Social Security Act (42 U.S.C. 1395w 102(d)(1)), as added by subsection (a). The Comptroller
 General shall include in such study and report an analysis
 of each of the following:

5 (1) Any trends in the list and net prices of in-6 sulin.

7 (2) Any savings for enrollees of prescription
8 drug plans or MA-PD plans under the Medicare
9 program as a result of such requirement.

10 (3) Any trends in out-of-pocket costs for such
11 enrollees, as compared to enrollees of employer-spon12 sored plans, State plans under the Medicaid pro13 gram, and plans offered through an Exchange estab14 lished under title I of Public Law 111–148.

(4) Pathways for the market entry of generic
drugs and biosimilar biological products for insulin.
(5) Recommendations to Congress on how to
enhance patient access to, and lower patient out-ofpocket costs of, insulin.

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