

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4557

To amend the Social Security Act to waive the 24-month waiting period for Medicare coverage of individuals disabled with acquired immune deficiency syndrome (AIDS), and to provide Medicare coverage of drugs used for treatment of AIDS.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2000

Mr. COBURN introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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

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## A BILL

To amend the Social Security Act to waive the 24-month waiting period for Medicare coverage of individuals disabled with acquired immune deficiency syndrome (AIDS), and to provide Medicare coverage of drugs used for treatment of AIDS.

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 “AIDS Treatment and  
5 Assistance Act of 2000”.

1 **SEC. 2. WAIVER OF 24-MONTH WAITING PERIOD FOR MEDI-**  
2 **CARE COVERAGE OF INDIVIDUALS DISABLED**  
3 **WITH ACQUIRED IMMUNE DEFICIENCY SYN-**  
4 **DROME (AIDS).**

5 (a) IN GENERAL.—Section 226 of the Social Security  
6 Act (42 U.S.C. 426) is amended—

7 (1) by redesignating subsection (h) as sub-  
8 section (j) and by moving such subsection to the end  
9 of the section, and

10 (2) by inserting after subsection (g) the fol-  
11 lowing new subsection:

12 “(h) For purposes of applying this section in the case  
13 of an individual medically determined to have acquired im-  
14 mune deficiency syndrome (AIDS), the following special  
15 rules apply:

16 “(1) Subsection (b) shall be applied as if there  
17 were no requirement for any entitlement to benefits,  
18 or status, for a period longer than 1 month.

19 “(2) The entitlement under such subsection  
20 shall begin with the first month (rather than twenty-  
21 fifth month) of entitlement or status.

22 “(3) Subsection (f) shall not be applied.”.

23 (b) CONFORMING AMENDMENT.—Section 1837 of  
24 such Act (42 U.S.C. 1395p) is amended by adding at the  
25 end the following new subsection:

1 “(j) In applying this section in the case of an indi-  
2 vidual who is entitled to benefits under part A pursuant  
3 to the operation of section 226(h), the following special  
4 rules apply:

5 “(1) The initial enrollment period under sub-  
6 section (d) shall begin on the first day of the first  
7 month in which the individual satisfies the require-  
8 ment of section 1836(1).

9 “(2) In applying subsection (g)(1), the initial  
10 enrollment period shall begin on the first day of the  
11 first month of entitlement to disability insurance  
12 benefits referred to in such subsection.”.

13 (c) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply to benefits for months beginning  
15 after the date of the enactment of this Act.

16 **SEC. 3. MEDICARE COVERAGE OF DRUGS TO TREAT AC-**  
17 **QUIRED IMMUNE DEFICIENCY SYNDROME**  
18 **(AIDS).**

19 (a) IN GENERAL.—Section 1861(s)(2) of the Social  
20 Security Act (42 U.S.C. 1395x(s)(2)) is amended—

21 (1) by striking “and” at the end of subpara-  
22 graph (S),

23 (2) by striking the period at the end of sub-  
24 paragraph (T) and inserting “; and”, and

1           (3) by adding at the end the following new sub-  
2 paragraph:

3           “(U) any drug (which is approved by the Fed-  
4 eral Food and Drug Administration) prescribed for  
5 use in the treatment or alleviation of symptoms re-  
6 lating to acquired immune deficiency syndrome  
7 (AIDS).”.

8           (b) **EFFECTIVE DATE.**—The amendments made by  
9 subsection (a) shall apply to drugs furnished on or after  
10 the first day of the first month beginning after the date  
11 of the enactment of this Act.

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