

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

# H. R. 4937

To amend part D of title XVIII of the Social Security Act to provide for continuity of coverage of prescription drugs under Medicare prescription drug plans for full-benefit dual eligible individuals.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2006

Mrs. WILSON of New Mexico 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

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## A BILL

To amend part D of title XVIII of the Social Security Act to provide for continuity of coverage of prescription drugs under Medicare prescription drug plans for full-benefit dual eligible 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. MEDICARE CONTINUITY OF COVERAGE OF PRE-**  
4 **SCRIPTION DRUGS FOR FULL-BENEFIT DUAL**  
5 **ELIGIBLE INDIVIDUALS.**

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

1           (1) in paragraph (1), by inserting “subject to  
2 paragraph (6),” after “part C”; and

3           (2) by adding at the end the following new  
4 paragraph:

5           “(6) CONTINUATION OF COVERAGE FOR FULL-  
6 BENEFIT DUAL ELIGIBLE INDIVIDUALS  
7 TRANSITIONING FROM MEDICAID COVERAGE.—In the  
8 case of an individual who, as of date the individual  
9 is first enrolled under a prescription drug plan under  
10 this part (or an MA–PD plan under part D), is a  
11 full-benefit dual eligible individual and is being pro-  
12 vided medical assistance for a prescription drug or  
13 biological under title XIX that may be covered as a  
14 covered part D drug under this part, qualified pre-  
15 scription drug coverage must include coverage for  
16 such drug without the application of coverage limita-  
17 tions, such as prior authorization or quantity limits,  
18 unless a prescribing physician certifies that the cov-  
19 erage of such drug is not medically necessary, re-  
20 gardless of whether the individual subsequently re-  
21 mains a full-benefit dual eligible individual.”.

22           (b) EFFECTIVE DATE.—The amendments made by  
23 subsection (a) shall be effective as if included in the enact-

- 1 ment of Medicare Prescription Drug, Improvement, and
- 2 Modernization Act of 2003 (Public Law 108–173).

