

109TH CONGRESS
2D SESSION

S. 2203

To amend title XVIII of the Social Security Act to eliminate cost-sharing under part D of such title for certain full-benefit dual eligible individuals.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2006

Mrs. CLINTON (for herself and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to eliminate cost-sharing under part D of such title for certain 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. ELIMINATION OF PART D COST-SHARING FOR**
4 **CERTAIN FULL-BENEFIT DUAL ELIGIBLE IN-**
5 **DIVIDUALS.**

6 (a) IN GENERAL.—Section 1860D–14(a)(1)(D)(i) of
7 the Social Security Act (42 U.S.C. 1395w–
8 114(a)(1)(D)(i)) is amended—

9 (1) in the heading, by striking “INSTITU-
10 TIONALIZED INDIVIDUALS.—In” and inserting

1 “ELIMINATION OF COST-SHARING FOR CERTAIN
2 FULL-BENEFIT DUAL ELIGIBLE INDIVIDUALS.—”

3 “(I) INSTITUTIONALIZED INDI-
4 VIDUALS.—In”; and

5 (2) by adding at the end the following new sub-
6 clauses:

7 “(II) CERTAIN OTHER INDIVID-
8 UALS.—In the case of an individual
9 who is a full-benefit dual eligible indi-
10 vidual and who receives services from
11 a facility or program described in sub-
12 clause (III), the elimination of any
13 beneficiary coinsurance described in
14 section 1860D–2(b)(2) (for all
15 amounts through the total amount of
16 expenditures at which benefits are
17 available under section 1860D–
18 2(b)(4)).

19 “(III) FACILITY DESCRIBED.—
20 For purposes of subclause (II), a fa-
21 cility or program described in this
22 subclause is a board and care facility,
23 a custodial care facility, a group
24 home, or an assisted living facility (as
25 such terms are defined by the Sec-

1 retary), or any other facility or pro-
2 gram that the Secretary determines
3 provides services without which the in-
4 dividual would require long-term care
5 in a medical institution or nursing fa-
6 cility.”.

7 (b) EFFECTIVE DATE.—

8 (1) IN GENERAL.—The amendments made by
9 subsection (a) shall take effect as if included in the
10 enactment of section 101 of the Medicare Prescrip-
11 tion Drug, Improvement, and Modernization Act of
12 2003 (Public Law 108–173).

13 (2) REIMBURSEMENT OF COST-SHARING PAY-
14 MENTS.—The Secretary shall provide for reimburse-
15 ment of any beneficiary coinsurance described in sec-
16 tion 1860D–2(b)(2) of the Social Security Act (42
17 U.S.C. 1395w–102(b)(2)) paid by or on behalf of an
18 individual described in section 1860D–
19 14(a)(1)(D)(i)(II) of such Act, as added by sub-
20 section (a), during the period beginning on January
21 1, 2006, and ending on the date of enactment of this
22 Act.

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