116TH CONGRESS  1ST SESSION

To provide for the treatment of a pharmacy counter refusal as a coverage determination under Medicare part D.

IN THE SENATE OF THE UNITED STATES

Mr. CARDIN (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To provide for the treatment of a pharmacy counter refusal as a coverage determination under Medicare part D.

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 “Streamlining Part D

5 Appeals Process Act”.

SEC. 2. PROVIDING FOR THE TREATMENT OF A PHARMACY COUNTER REFUSAL AS A COVERAGE DETERMINATION UNDER MEDICARE PART D.

Section 1860D–4(g) of the Social Security Act (42 U.S.C. 1395w–104(g)) is amended by adding at the end the following new paragraph:

“(3) Treatment of pharmacy counter refusal as coverage determination.—For plan years beginning on or after January 1, 2020, the refusal by a pharmacy to fill a prescription for a covered part D drug under a prescription drug plan shall be treated as a coverage determination subject to reconsideration and appeal pursuant to this subsection and subsection (h).”.