

116TH CONGRESS
2D SESSION

H. R. 8529

To amend title XIX of the Social Security Act to prohibit additional rebates under the Medicaid program for certain noninnovator multiple source drugs.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2020

Mr. BUTTERFIELD (for himself, Mr. LONG, and Mr. CÁRDENAS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to prohibit additional rebates under the Medicaid program for certain noninnovator multiple source drugs.

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 “Protecting Access to
5 Affordable Medicines Act of 2020”.

1 **SEC. 2. PROHIBITION ON ADDITIONAL REBATE UNDER**
2 **MEDICAID FOR CERTAIN NONINNOVATOR**
3 **MULTIPLE SOURCE DRUGS.**

4 Section 1927(c)(3)(C) of the Social Security Act (42
5 U.S.C. 1396r-8(c)(3)(C)) is amended—

6 (1) in clause (i), by striking “The amount” and
7 inserting “Subject to clause (v), the amount”; and

8 (2) by adding at the end the following new
9 clause:

10 “(v) PROHIBITION ON ADDITIONAL
11 REBATE FOR CERTAIN NONINNOVATOR
12 MULTIPLE SOURCE DRUGS.—With respect
13 to a rebate period beginning on or after
14 January 1, 2021, and a dosage form and
15 strength of a covered outpatient drug de-
16 scribed in clause (i), the amount of the re-
17 bate specified in subparagraph (A) for
18 such dosage form and strength for such re-
19 bate period may not be increased if the av-
20 erage manufacturer price for a unit of
21 such dosage form and strength for such re-
22 bate period is less than \$1.”.

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