

118TH CONGRESS
1ST SESSION

S. 2107

To allow grantees under the HIV Health Care Services Program to allocate a portion of such funding for services to individuals at risk of acquiring HIV.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

Mr. SCOTT of Florida (for himself, Mr. LUJÁN, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To allow grantees under the HIV Health Care Services Program to allocate a portion of such funding for services to individuals at risk of acquiring HIV.

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 “Ryan White PrEP
5 Availability Act”.

1 **SEC. 2. SERVICES FOR INDIVIDUALS AT RISK OF ACQUIR-**
 2 **ING HIV.**

3 Title XXVI of the Public Health Service Act (42
 4 U.S.C. 300ff–11 et seq.) is amended by adding at the end
 5 the following:

6 **“PART H—SERVICES FOR INDIVIDUALS AT RISK**
 7 **OF ACQUIRING HIV**

8 **“SEC. 2696. INDIVIDUALS AT RISK OF ACQUIRING HIV.**

9 “(a) IN GENERAL.—Any eligible area, State, or pub-
 10 lic or private nonprofit entity that receives a grant under
 11 part A, B, C, or D may use program income received from
 12 such a grant to provide to individuals who are at risk of
 13 acquiring HIV—

14 “(1) drugs and biological products for pre-expo-
 15 sure prophylaxis (PrEP) prescribed by a professional
 16 who is authorized under State or other applicable
 17 law to write prescriptions, consistent with Federal
 18 guidelines issued by the Centers for Disease Control
 19 and Prevention;

20 “(2) medical, laboratory, and counseling serv-
 21 ices related to such drugs and biological products;
 22 and

23 “(3) referrals and linkages to appropriate serv-
 24 ices for the prevention of HIV, as prescribed to eligi-
 25 ble individuals who are at risk of acquiring HIV.

1 “(b) VOLUNTARY PROGRAM.—Nothing in this section
2 shall be construed to permit any eligible area, State, or
3 public or private nonprofit entity to allocate any grant
4 funds received under this title for the purposes described
5 in paragraph (1) or (2) of subsection (a).”.

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