

115TH CONGRESS  
1ST SESSION

# H. R. 1939

To amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2017

Mr. GRIFFITH (for himself and Mr. WELCH) 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 title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

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 “Ensuring Seniors Ac-  
5 cess to Local Pharmacies Act of 2017”.

1 **SEC. 2. ALLOWING ANY STATE LICENSED PHARMACY SERV-**  
2 **ING AN UNDERSERVED AREA TO BECOME A**  
3 **NETWORK PHARMACY UNDER MEDICARE**  
4 **PRESCRIPTION DRUG COVERAGE.**

5 (a) IN GENERAL.—Section 1860D–4(b)(1)(B) of the  
6 Social Security Act (42 U.S.C. 1395w–104(b)(1)(B)) is  
7 amended—

8 (1) by striking “DISCOUNTS ALLOWED FOR  
9 NETWORK PHARMACIES.—For” and inserting the  
10 following: “DISCOUNTS ALLOWED FOR NETWORK  
11 PHARMACIES.—

12 “(i) IN GENERAL.—For”; and

13 (2) by adding at the end the following new  
14 clause:

15 “(ii) INCLUSION OF PHARMACIES LO-  
16 CATED IN UNDERSERVED AREAS IN NET-  
17 WORKS.—In the case of a prescription  
18 drug plan that has, in its network of phar-  
19 macies, one or more pharmacies located in  
20 a health professional shortage area (as de-  
21 fined in section 332(a)(1)(A) of the Public  
22 Health Service Act), in a medically under-  
23 served area (according to a designation  
24 under section 330(b)(3)(A) of the Public  
25 Health Service Act), or among a medically  
26 underserved population (as defined in such

1 section 330(b)(3)(A) of such Act), and  
2 that provides a reduction in coinsurance or  
3 copayments described in clause (i) for cov-  
4 ered part D drugs dispensed through such  
5 pharmacies, such plan shall extend to any  
6 pharmacy located in such area or among  
7 such population the option to be an in-net-  
8 work pharmacy with respect to such plan  
9 under terms and conditions (including the  
10 reductions described in clause (i)) com-  
11 parable to those the plan has agreed upon  
12 with other in-network pharmacies located  
13 in such area or among such population.”.

14 (b) EFFECTIVE DATE.—The amendments made by  
15 this section shall apply to plan years beginning on or after  
16 January 1, 2018.

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