

**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

January 31, 2006

**Guarantee that Seniors and People with Disabilities  
Get Their Prescription Drugs**

***Cosponsor the Medicare Prescription Drug Emergency Guarantee Act***

Dear Colleague:

After the first month of implementation of the Medicare private drug plan, it is clear that a number of measures are needed to ensure that seniors and Americans with disabilities who need prescription drugs do not leave the pharmacy empty-handed or overcharged. We are introducing legislation, the "Medicare Prescription Drug Emergency Guarantee Act," that does exactly that.

Our bill would do the following:

- Ensure beneficiaries get needed medicines, whether or not the pharmacist can verify the plan they are in or whether or not the drug they need is covered by their plan. The bill would guarantee that beneficiaries would not leave their pharmacy empty-handed. They would get a 60-day supply of their prescription and would continue to get it until their problem is resolved.
- Eliminate red tape for pharmacists by allowing the pharmacy to bill Medicare directly. Medicare would then collect the payments from the drug plans.
- Ensure beneficiaries can navigate the complex system, by providing a standard notice with instructions on how to appeal or locate a more suitable plan when a person's drug is not covered by the plan.
- Protect beneficiaries from losing coverage of needed medicines during the year they are enrolled by not allowing plans to change what drugs they will pay for during that year.

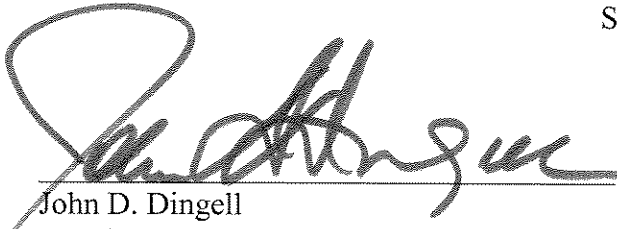
Under this bill, seniors would continue to get all of their prescriptions filled for as long as it takes the plans, the pharmacies, and the Government to work out the problems that prevent pharmacists from knowing what plan a person is enrolled in. No longer will pharmacists be forced to tell seniors, "Sorry, I can't determine what plan you are in so you'll have to pay full price for your prescription or leave without it."

Similarly, seniors will no longer be told, "your medication is not covered by your plan," and then have to wade through a lot of red tape to get their prescription filled. Every senior will be entitled to receive a two-month supply of their prescriptions so they can file an appeal with their plan to have their drug covered in the future and have the time necessary to review other plans that may better suit them

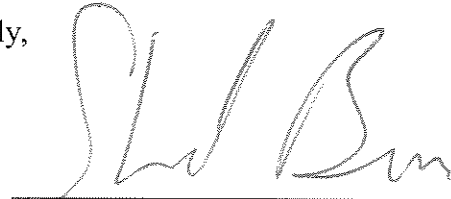
Finally, for all those who actually paid more than they should have for their medications, this bill requires Medicare to reimburse them, as well as any others who have stepped in to pay the costs for seniors and those with disabilities when they were denied or overcharged for their medicines. Medicare should be cutting through the red tape, not the beneficiaries or their pharmacist.

Cosponsor the Medicare Prescription Drug Emergency Guarantee Act (summary attached) and work with us to make that happen. To cosponsor, contact Carla Hultberg with the Committee on Energy and Commerce Democratic staff at (202) 225-3641.

Sincerely,



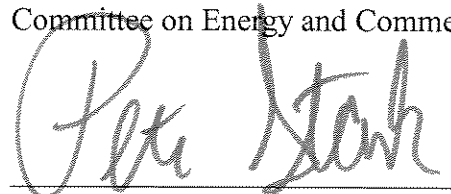
John D. Dingell  
Ranking Member  
Committee on Energy and Commerce



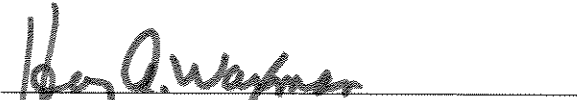
Sherrod Brown  
Ranking Member  
Subcommittee on Health  
Committee on Energy and Commerce



Charles B. Rangel  
Ranking Member  
Committee on Ways and Means



Pete Stark  
Ranking Member  
Subcommittee on Health  
Committee on Ways and Means



Henry A. Waxman  
Ranking Member  
Committee on Government Reform

Attachment