

Clinton - 1999

Noninterference: Invented Here First

Moynihan - S. 2342 - 4/2000

Daschle & Reid - S.2541 - 5/2000

Eshoo - H.R. 4607 - 6/2000

**Gephardt, Pelosi, Rangel, Stark, Dingell,
Stabenow** - H.R. 4770 - 6/2000

Stark Motion to Recommit – H.R. 4680 - 6/2000

Wyden - S.1185 - 7/2001

Thompson (Ca.) - H.R. 2606 - 6/2003

To amend title XVIII of the Social Security Act to provide a prescription medicine benefit under the Medicare Program, to enhance the preventive benefits covered under such program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2000

Mr. GEPHARDT (for himself, Mr. HOFFEL, Mr. BONIOR, Mr. RANGEL, Mr. DINGELL, Mr. STARK, Mr. BROWN of Ohio, Mr. MATSUI, Mr. COHEN, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LAMARCA of Georgia, Mr. McNULTY, Mr. JEFFERS, Mr. TANK, Mr. BOGGETT, Mr. W. STUPAK, Mr. MCINTOSH, Mr. ROSEN, Mr. GIBBS, Mr. LUTZ, Mr. ROYBAL-ALLARD, Mr. SANCHEZ, Mr. SANDLIN, Mr. SKELTON, Mr. SLAUGHTER, Mr. SNYDER, Mr. SPRAT, Mr. STABENOW, Mrs. JONES, Ohio, Mr. TURNER, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Mr. WEYLAND, Mr. WEXLER, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, 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

June 27, 2000

Pelosi, Rangel, Dingell, Stark, Stabenow

“(b) NONINTERFERENCE...the Secretary may not—

“(1) require a particular formulary, institute a price structure for benefits, or in any way ration benefits;

“(2) *interfere in any way with negotiations between benefit administrators and medicine manufacturers*, or wholesalers;

“(3) otherwise interfere with the competitive nature of providing a prescription medicine benefit *using private benefit administrators . . .*

4 “(b) NONINTERFERENCE BY THE SECRETARY.—

5 administering the prescription medicine benefit program

6 established under this part, the Secretary

7 “(1) require a particular formulary, institute

8 price structure for benefits, or in any way ration

9 benefits;

10 “(2) interfere in any way with negotiations

11 between benefit administrators and medicine manu

12 facturers, or wholesalers; or

13 “(3) otherwise interfere with the competi

14 nature of providing a prescription medicine ben

15 using private benefit administrators, except as is

16 required to guarantee coverage of the defined ben

To amend title XVIII of the Social Security Act to provide a prescription drug benefit for the aged and disabled under the medicare program, to enhance the preventive benefits covered under such program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

May 10, 2000

Mr. DASCHLE (for himself, Mr. MOYNIHAN, Mr. KENNEDY, Mr. AKAKA, Mr. BAUCUS, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BRYAN, Mr. BYRD, Mr. CLELAND, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. HARKIN, Mr. HOLLINGS, Mr. INOUE, Mr. JOHNSON, Mr. KERRY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, and Mr. WELLSTONE) read twice and referred to the committee on Health, Education, and Labor.

May 10, 2000

**Reid
Durbin
Kennedy**

“(b) NONINTERFERENCE...the Secretary may not—

“(1) require a particular formulary, institute a price structure for benefits;

“(2) *interfere in any way with negotiations between private entities and drug manufacturers, or wholesalers;* or

“(3) otherwise interfere with the competitive nature of providing a prescription drug benefit through *private entities* .

6 “(b) NONINTERFERENCE.—In administering the pre-
7 scription drug benefit program established under this
8 part, the Secretary may not—
9 “(1) require a particular formulary or institute
10 a price structure for benefits;
11 “(2) interfere in any way with negotiations be-
12 tween private entities and drug manufacturers, or
13 wholesalers; or
14 “(3) otherwise interfere with the competitive
15 nature of providing a prescription drug benefit
16 through private entities.

Public Law 108-173
108th Congress

An Act

To amend title XVIII of the Social Security Act to provide for a voluntary prescription drug coverage under the Medicare Program, to amend the Medicare Program, to amend the Internal Revenue Code of 1986 to provide for a deduction to individuals for amounts contributed to health savings accounts and health savings accounts, to provide for the disposition of health benefits in cafeteria plans and flexible spending arrangements for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENTS TO SOCIAL SECURITY ACT; REFERENCES TO BIPA AND SECRETARY; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the Prescription Drug, Improvement, and Modernization Act of 2009.

~~“(i) **NONINTERFERENCE.**—In order to promote competition under this part and in carrying out this part, the Secretary—~~

~~“(1) may not interfere with the negotiations between drug manufacturers and pharmacies and PDP sponsors; and~~

~~“(2) may not require a particular formulary or institute a price structure for the reimbursement of covered part D drugs.~~

“(b) **NONINTERFERENCE.---**In order to promote competition under this part and in carrying out this part, the Secretary—

“(1) *may not interfere with the negotiations between drug manufacturers and pharmacies and PDP sponsors; and*

“(2) may not require a particular formulary or institute a price structure for the reimbursement of covered part D drugs.