

116TH CONGRESS  
1ST SESSION

# S. 1861

To provide for the treatment of a pharmacy counter refusal as a coverage determination under Medicare part D.

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IN THE SENATE OF THE UNITED STATES

JUNE 13, 2019

Mr. CARDIN (for himself and Mr. CORNYN) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To provide for the treatment of a pharmacy counter refusal  
as a coverage determination under Medicare part D.

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 “Streamlining Part D  
5 Appeals Process Act”.

1 **SEC. 2. PROVIDING FOR THE TREATMENT OF A PHARMACY**  
2 **COUNTER REFUSAL AS A COVERAGE DETER-**  
3 **MINATION UNDER MEDICARE PART D.**

4 Section 1860D–4(g) of the Social Security Act (42  
5 U.S.C. 1395w–104(g)) is amended by adding at the end  
6 the following new paragraph:

7 “(3) TREATMENT OF PHARMACY COUNTER RE-  
8 FUSAL AS COVERAGE DETERMINATION.—For plan  
9 years beginning on or after January 1, 2020, the re-  
10 fusals by a pharmacy to fill a prescription for a cov-  
11 ered part D drug under a prescription drug plan  
12 shall be treated as a coverage determination subject  
13 to reconsideration and appeal pursuant to this sub-  
14 section and subsection (h).”.

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