

S 2343

Medicare Modernization Improvement Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Apr 22, 2004

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Apr 22, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2343>

Sponsor

Name: Sen. Conrad, Kent [D-ND]

Party: Democratic • State: ND • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Apr 22, 2004
Sen. Dorgan, Byron L. [D-ND]	D · ND		Apr 28, 2004

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Apr 22, 2004

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Medicare Modernization Improvement Act of 2004 - Amends title XVIII (Medicare) of the Social Security Act (SSA) to revise provisions added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 that prohibit the Secretary of Health and Human Services from interfering with the negotiations between drug manufacturers and pharmacies and prescription drug plan sponsors. Gives the Secretary the authority to negotiate contracts with manufacturers of covered Medicare part D (Voluntary Prescription Drug Benefit Program) drugs as necessary to reduce prices and protect access to needed drugs, in order to ensure that beneficiaries enrolled under prescription drug plans and Medicare Advantage (MA) plans pay the lowest possible price.

Amends the Federal Food, Drug, and Cosmetic Act to repeal the condition on the permission to pharmacists and wholesalers to import prescription drugs from Canada into the United States that the Secretary first demonstrate to Congress the safety of such products and the financial benefit to consumers of permitting their importation. (Thus allows the importation of such drugs to proceed without fulfillment of prerequisites.) Repeals termination of the importation program.

Amends SSA title XVIII to require the Secretary to ensure that each Medicare part D eligible individual has available a choice of enrollment in at least two prescription drug plans (currently two qualifying plans, one of which is a prescription drug plan) in the area in which the individual resides.

Prescribes requirements for the offering of a fallback prescription drug plan.

Provides for making available wraparound coverage through Medigap.

Revises requirements for application of Medicare standards and convenient access for network pharmacies, allowing the Secretary to consider only community retail pharmacies in determining whether convenient access has been provided.

Modifies level playing field requirements for beneficiary protections for qualified prescription drug coverage, including medication therapy management services. Allows the sponsor to permit enrollees to receive through a mail order pharmacy the same amount, scope, and duration of drugs and biologicals received through any other pharmacy.

Repeals the authorization of Health Savings Accounts.

Directs the Secretary to establish a demonstration program to make the Medicare program more responsive to the needs of eligible beneficiaries by promoting continuity of care, helping stabilize medical conditions, preventing or minimizing acute exacerbations of chronic conditions, and reducing adverse health outcomes

Amends SSA title XVIII to repeal the MA Regional Plan Stabilization Fund.

Prescribes requirements for applying risk adjustment factors to payments to Medicare+Choice organizations in a budget neutral manner.

Directs the Secretary to phase-in private plan payment to 100 percent of fee-for-service rate.

Repeals the Comparative Cost Adjustment Program.

Requires a prescription drug plan sponsor offering a prescription drug plan or an MA organization offering an MA-PD

plan, upon the request of any part D eligible individual, to disclose to the individual certain drug-specific coverage information during the period in which the individual is eligible to elect coverage under the plan so that the individual may take such information into account in determining whether to enroll under the plan.

Requires Medicare part D beneficiaries to be informed of formulary changes.

Provides for full funding and expansion for the demonstration project for coverage of certain prescription drugs and biologicals.

Actions Timeline

- **Apr 22, 2004:** Introduced in Senate
- **Apr 22, 2004:** Sponsor introductory remarks on measure. (CR S4329-4330)
- **Apr 22, 2004:** Read twice and referred to the Committee on Finance.