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(Original Signature of Member)

114TH CONGRESS  
1ST SESSION

**H. R.**

To amend title XVIII of the Social Security Act to remove the enrollment restriction on certain physicians and practitioners prescribing covered outpatient drugs under the Medicare prescription drug program.

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IN THE HOUSE OF REPRESENTATIVES

Mr. MARCHANT (for himself, Mr. BLUMENAUER, Mrs. BLACK, and Mr. NUNES) introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title XVIII of the Social Security Act to remove the enrollment restriction on certain physicians and practitioners prescribing covered outpatient drugs under the Medicare prescription drug program.

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 “Protecting Seniors Ac-  
5 cess to Proper Care Act of 2015”.

1 **SEC. 2. REMOVING DUPLICATIVE PAPERWORK IN PERMIT-**  
2 **TING CERTAIN NON-ENROLLED PHYSICIANS**  
3 **OR PRACTITIONERS TO PRESCRIBE COVERED**  
4 **OUTPATIENT DRUGS UNDER MEDICARE PART**  
5 **D.**

6 Section 1860D–4 of the Social Security Act (42  
7 U.S.C. 1395w–103) is amended by adding at the end the  
8 following new subsection:

9 “(m) **REMOVAL OF ENROLLMENT RESTRICTION.**—  
10 Nothing in this title or section 6405(e) of the Patient Pro-  
11 tection and Affordable Care Act (42 U.S.C. 1395f note)  
12 shall be construed as requiring, as a condition of payment  
13 by a PDP sponsor for a covered part D drug prescribed  
14 by an individual who is a physician or who is a practitioner  
15 described in section 1842(b)(18)(C) and authorized under  
16 State law to prescribe such drug, that the individual be  
17 enrolled under section 1866(j) so long as—

18 “(1) the individual is not otherwise disqualified  
19 from being so enrolled; and

20 “(2)(A) the individual is not a physician de-  
21 scribed in section 1861(r)(1); or

22 “(B) the individual is such a physician and the  
23 individual’s practice prescribes a low-volume (as de-  
24 termined by the Secretary) of billings for such drugs  
25 under this part.”.