

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To limit cost sharing for prescription drugs, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. WARNOCK (for himself, Ms. KLOBUCHAR, Mr. MENENDEZ, Ms. BALDWIN, Mr. REED, Mrs. MURRAY, Ms. SMITH, Mr. HEINRICH, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To limit cost sharing for prescription drugs, and for other purposes.

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 “Capping Prescription  
5 Costs Act of 2021”.

6 **SEC. 2. CAP ON PRESCRIPTION DRUG COST-SHARING.**

7 (a) QUALIFIED HEALTH PLANS.—Section 1302(c) of  
8 the Patient Protection and Affordable Care Act (42  
9 U.S.C. 18022(c)) is amended—

1 (1) in paragraph (3)(A)(i), by inserting “, in-  
2 cluding cost-sharing with respect to prescription  
3 drugs covered by the plan” after “charges”; and

4 (2) by adding at the end the following:

5 “(5) PRESCRIPTION DRUG COST-SHARING.—

6 “(A) 2023.—For plan years beginning in  
7 2023, the cost-sharing incurred under a health  
8 plan with respect to prescription drugs covered  
9 by the plan shall not exceed \$250 per month for  
10 each enrolled individual, or \$500 for each fam-  
11 ily.

12 “(B) 2024 AND LATER.—

13 “(i) IN GENERAL.—In the case of any  
14 plan year beginning in a calendar year  
15 after 2023, the limitation under this para-  
16 graph shall be equal to the applicable dol-  
17 lar amount under subparagraph (A) for  
18 plan years beginning in 2023, increased by  
19 an amount equal to the product of that  
20 amount and the medical care component of  
21 the consumer price index for all urban con-  
22 sumers (as published by the Bureau of  
23 Labor Statistics) for that year.

24 “(ii) ADJUSTMENT TO AMOUNT.—If  
25 the amount of any increase under clause

1 (i) is not a multiple of \$5, such increase  
2 shall be rounded to the next lowest mul-  
3 tiple of \$5.”.

4 (b) GROUP HEALTH PLANS.—Section 2707(b) of the  
5 Public Health Service Act (42 U.S.C. 300gg-6(b)) is  
6 amended—

7 (1) by striking “annual”; and

8 (2) by striking “paragraph (1) of section  
9 1302(c)” and inserting “paragraphs (1) and (5) of  
10 section 1302(c) of the Patient Protection and Af-  
11 fordable Care Act”.

12 (c) EFFECTIVE DATE.—The amendments made by  
13 subsections (a) and (b) shall take effect with respect to  
14 plans beginning after December 31, 2022.