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118TH CONGRESS
1ST SESSION

S. 2408

To amend title XVIII of the Social Security Act to provide for patient-focused listening sessions to improve prescription drug plan transparency, access, and choice.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2023

Mr. SCOTT of South Carolina (for himself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Finance

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A BILL

To amend title XVIII of the Social Security Act to provide for patient-focused listening sessions to improve prescription drug plan transparency, access, and choice.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Initiating Meaningful Patient Review Of Various Existing Part D Regulations Act'' or the ''IMPROVE Part D Regulations Act''.

SEC. 2. PATIENT-FOCUSED LISTENING SESSIONS TO IMPROVE PRESCRIPTION DRUG PLAN TRANSPARENCY, ACCESS, AND CHOICE.

Section 1860D–42 of the Social Security Act (42 U.S.C. 1395w–152) is amended by adding at the end the following new subsection:

''(e) PATIENT-FOCUSED LISTENING SESSIONS FOR PROGRAM IMPROVEMENTS.—

''(1) IN GENERAL.—No later than December 31, 2024, the Secretary shall convene at least one patient-focused listening session on potential administrative improvements to this part, as described in paragraph (2).

''(2) PATIENT-FOCUSED LISTENING SESSIONS.—Any patient-focused listening sessions convened under paragraph (1) shall be open to the public and may include patients, beneficiaries, caregivers, consumer and patient advocacy organizations, health care providers, and other interested parties, as determined appropriate by the Secretary. Such listening sessions may include discussions of, and recommendations for program improvements related to—

''(A) prescription drug plan disclosures and comparative information made available to beneficiaries;

''(B) tools and mechanisms to assist beneficiaries in navigating plan complaint systems, as well as the efficiency and effectiveness of such systems;

''(C) tools and mechanisms to assist beneficiaries in selecting a prescription drug plan;

''(D) tools and mechanisms to assist beneficiaries in navigating utilization management requirements, such as step therapy and prior authorization;

''(E) access to, and effectiveness and utilization of, electronic real-time benefit tools (as described in section 1860D–4(o)) and beneficiary real-time benefit tools (as described in section 423.128(d)(4) of title 42, Code of Federal Regulations, or any successor regulation);

''(F) formulary management and oversight; and

''(G) other subjects relevant to patients and other interested parties.

''(3) PROGRAM REVIEW.—Based on the recommendations discussed during any patient-focused listening sessions convened under paragraph (1), the Secretary shall conduct a review of relevant regulatory and sub-regulatory requirements under this

part and shall consider, as appropriate, potential regulatory or sub-regulatory changes to address issues raised during such sessions.''.

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