

*Rand Paul*

AMENDMENT NO. 3 Calendar No. \_\_\_\_\_

Purpose: To amend title XI of the Social Security Act to exclude discounts for covered part D drugs from the anti-kickback prohibition.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. 1895**

To lower health care costs.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PAUL

Viz:

1 At the appropriate place in title II, insert the following:  
2

3 **SEC. 2** \_\_\_\_ . **EXCLUSION OF DISCOUNTS FOR COVERED PART**  
4 **D DRUGS FROM THE ANTI-KICKBACK PROHI-**  
5 **BITION.**

6 (a) IN GENERAL.—Section 1128B(b)(3) of the Social  
7 Security Act (42 U.S.C. 1320a–7b(b)(3)) is amended—

8 (1) in subparagraph (J)—

9 (A) by moving such subparagraph 2 ems to  
10 the left; and

11 (B) by striking “and” at the end;

12 (2) in subparagraph (K)—

1                   (A) by moving such subparagraph 2 ems to  
2                   the left; and

3                   (B) by striking the period at the end and  
4                   inserting “; and”; and

5                   (3) by adding at the end the following new sub-  
6                   paragraph:

7                   “(L) a discount, including through a rebate,  
8                   discount card, or coupon, with respect to a covered  
9                   part D drug (as defined in section 1860D-2(e))  
10                  under part D of title XVIII.”.

11                  (b) EFFECTIVE DATE.—The amendments made by  
12                  this section shall take effect on January 1, 2021.