

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 151

To amend title XIX of the Social Security Act to permit payments under a State plan to certain vaccine manufacturers.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. DANFORTH introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XIX of the Social Security Act to permit payments under a State plan to certain vaccine manufacturers.

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. REIMBURSEMENT TO VACCINE MANUFACTUR-**  
4 **ERS.**

5 (a) IN GENERAL.—Section 1902(a)(32) of the Social  
6 Security Act (42 U.S.C. 1396a(32)) is amended—

7 (1) by striking “and” at the end of subpara-  
8 graph (B);

9 (2) by striking the period at the end of sub-  
10 paragraph (C) and inserting “; and”; and

1           (3) by adding at the end the following new sub-  
2 paragraph:

3           “(D) nothing in this paragraph shall be  
4 construed to prevent the making of such a pay-  
5 ment to a manufacturer of a childhood vaccine  
6 under a contract with the State, pursuant to  
7 which the manufacturer—

8           “(i) supplies without charge doses of  
9 childhood vaccines to providers administer-  
10 ing such vaccines to individuals eligible to  
11 receive medical assistance under the State  
12 plan,

13           “(ii) replaces such vaccines as needed,  
14 and

15           “(iii) charges the State agency the  
16 price under the most recent bid (deter-  
17 mined once such bid price is made public)  
18 submitted by the manufacturer to the Cen-  
19 ters for Disease Control with respect to the  
20 Centers for Disease Control childhood im-  
21 munization program, plus a reasonable fee  
22 to cover shipping and handling of returns  
23 for doses administered by providers to indi-  
24 viduals eligible to receive medical assist-  
25 ance under the State plan.”.

1 (b) AGREEMENTS WITH THE STATE.—Section  
2 1902(a)(27) of such Act (42 U.S.C. 1396a(a)(27)) is  
3 amended—

4 (1) by striking “under the State plan” and in-  
5 serting “under the State plan and with any entity  
6 that is a manufacturer of a vaccine under a contract  
7 with the State under section 1902(a)(32)(D)”;

8 (2) by striking “such person or institution”  
9 each place it appears and inserting “such person, in-  
10 stitution, or entity”.

11 (c) EFFECTIVE DATE.—The amendments made by  
12 this section shall apply to services furnished on or after  
13 June 1, 1993.

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