

111TH CONGRESS
2^D SESSION

S. 3401

To provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2010

Mr. BURR (for himself and Mr. COBURN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

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 “Addressing Cost Con-
5 tainment Measures To Ensure the Sustainability and Suc-
6 cess of ADAP Act” or the “ACCESS ADAP Act”.

1 **SEC. 2. AIDS DRUG ASSISTANCE PROGRAMS.**

2 (a) TRANSFER.—There shall be transferred to the
3 Secretary of Health and Human Services, \$126,000,000
4 from discretionary amounts appropriated under the Amer-
5 ican Recovery and Reinvestment Act (Public Law 111–
6 5) that remain unobligated, to be used by the Secretary
7 in fiscal year 2010 to provide assistance in reducing AIDS
8 Drug Assistance Program (under section 2616 of the Pub-
9 lic Health Service Act (42 U.S.C. 300ff–26)) waiting lists
10 and to address other cost containment measures that
11 State AIDS Drug Assistance Programs implement after
12 January 1, 2009. Amounts transferred under this section
13 shall be used by States in a manner consistent with their
14 State AIDS Drug Assistance Program.

15 (b) ALLOCATIONS.—In allocating funds transferred
16 under subsection (a), the Secretary of Health and Human
17 Services shall—

18 (1) give special consideration to both the total
19 scope, and the basis, of a State’s AIDS Drug Assist-
20 ance Program needs, including the total number of
21 patients on a waiting list, eligibility requirements,
22 and other cost containment measures implemented
23 by a State’s AIDS Drug Assistance Program; and

24 (2) ensure that funds shall only be used to pro-
25 vide treatments to individuals who were eligible to

- 1 participate in the State AIDS Drug Assistance Pro-
- 2 gram on the date of enactment of this Act.

