

119TH CONGRESS
2D SESSION

H. R. 7837

To amend title XI of the Social Security Act to require the Center for Medicare and Medicaid Innovation to test a model implementing most-favored-nation drug pricing.

MARCH 5, 2026

Mr. MEUSER introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XI of the Social Security Act to require the Center for Medicare and Medicaid Innovation to test a model implementing most-favored-nation drug pricing.

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 “Most Favored Patient
5 Act of 2026”.

1 **SEC. 2. REQUIRING THE CENTER FOR MEDICARE AND MED-**
2 **ICAID INNOVATION TO TEST A MODEL IMPLE-**
3 **MENTING MOST FAVORED NATION DRUG**
4 **PRICING.**

5 Section 1115A of the Social Security Act (42 U.S.C.
6 1315a) is amended—

7 (1) in subsection (b)(2)(A), by inserting “, and,
8 beginning January 1, 2029, shall include the Most
9 Favored Nations Pricing Model described in sub-
10 section (h)” before the period at the end; and

11 (2) by adding at the end the following new sub-
12 section:

13 “(h) MOST FAVORED NATIONS PRICING MODEL.—

14 “(1) IN GENERAL.—For purposes of subsection
15 (b)(2)(A), the Most Favored Nations Pricing Model
16 described in this subsection is a model under which,
17 subject to paragraph (2), each specified manufac-
18 turer—

19 “(A) provides access to the most-favored-
20 nation price of each covered drug of such man-
21 ufacturer—

22 “(i) to most-favored-nation price eligi-
23 ble individuals who with respect to such
24 drug are described in clause (i) of para-
25 graph (5)(D) and are dispensed such drug
26 (and to pharmacies, mail order services,

1 and other dispensers, with respect to such
2 individuals who are dispensed such drugs);
3 and

4 “(ii) to hospitals, physicians, and
5 other providers of services and suppliers
6 with respect to most-favored-nation price
7 eligible individuals who with respect to
8 such drug are described in clause (ii) of
9 such paragraph furnished or administered
10 such drug; and

11 “(B) reports to the Secretary, at such time
12 and in such manner as the Secretary shall
13 specify, such information as the Secretary de-
14 termines necessary for purposes of calculating
15 the most-favored-nation price with respect to
16 each such covered drug.

17 “(2) EXCEPTION.—The Secretary may suspend
18 the requirements under paragraph (1) with respect
19 to a covered drug of a specified manufacturer until
20 April 1, 2029, if the Secretary reasonably believes
21 that such manufacturer is likely to enter into a cov-
22 ered agreement with the Secretary before such date.

23 “(3) DURATION.—The model described in para-
24 graph (1) shall be carried out for a period of 5
25 years.

1 “(4) DEFINITIONS.—In this subsection:

2 “(A) APPLICABLE NET PRICE.—The term
3 ‘applicable net price’ means, with respect to a
4 covered drug and a reference country in which
5 such drug was sold during a year, the average
6 price paid to the manufacturer for the drug
7 across package sizes and package types of the
8 drug in such reference country during such year
9 across all purchasers, taking into account all
10 manufacturer rebates, discounts, and price con-
11 cessions, and adjusted to take into account dif-
12 ferences in purchasing power in such country
13 compared to the United States in a manner
14 specified by the Secretary.

15 “(B) APPROPRIATE CONGRESSIONAL COM-
16 MITTEES.—The term ‘appropriate congressional
17 committees’ means—

18 “(i) the Committee on Energy and
19 Commerce and the Committee on Ways
20 and Means of the House of Representa-
21 tives; and

22 “(ii) the Committee on Finance and
23 the Committee on Health, Education,
24 Labor, and Pensions of the Senate.

1 “(C) COVERED AGREEMENT.—The term
2 ‘covered agreement’ means an agreement be-
3 tween a manufacturer of a covered drug and
4 the Secretary that—

5 “(i) provides that such manufac-
6 turer—

7 “(I) will provide access to the
8 most-favored-nation price of 1 or
9 more covered drugs of such manufac-
10 turer in the same manner as described
11 in paragraph (1)(A);

12 “(II) will report to the Secretary
13 the information described in para-
14 graph (1)(B) with respect to each
15 such drug; and

16 “(III) commits, to the satisfac-
17 tion of the Secretary, to increasing
18 manufacturing operations in the
19 United States; and

20 “(ii) is—

21 “(I) entered into not later than
22 December 31, 2028; and

23 “(II) reported by the Secretary
24 to the appropriate congressional com-
25 mittees—

1 “(aa) not later than April 1,
2 2029; or

3 “(bb) in the case that such
4 agreement was entered into be-
5 fore the date of the enactment of
6 the Most Favored Patient Act of
7 2026, not later than the date
8 that is 30 days after such date of
9 enactment.

10 “(D) COVERED DRUG.—The term ‘covered
11 drug’ means, with respect to a year, a specified
12 drug that was sold in 2 or more reference coun-
13 tries during such year.

14 “(E) MANUFACTURER.—The term ‘manu-
15 facturer’ has the meaning given such term in
16 section 1847A(c)(6)(A).

17 “(F) MOST-FAVORED-NATION PRICE.—The
18 term ‘most-favored-nation price’ means, with
19 respect to a covered drug and a year, the sec-
20 ond-lowest applicable net price for such drug.

21 “(G) MOST-FAVORED-NATION PRICE ELIGI-
22 BLE INDIVIDUAL.—The term ‘most-favored-na-
23 tion price eligible individual’ means, with re-
24 spect to a covered drug—

1 “(i) in the case such drug is dispensed
2 to the individual at a pharmacy, by a mail
3 order service, or by another dispenser, an
4 individual—

5 “(I) who is eligible for medical
6 assistance under a State plan (or a
7 waiver of such plan) under title XIX
8 if coverage is provided under such
9 plan (or waiver) for such covered
10 drug; or

11 “(II) who is enrolled in a pre-
12 scription drug plan under part D of
13 title XVIII or an MA–PD plan under
14 part C of such title if coverage is pro-
15 vided under such plan for such cov-
16 ered drug; and

17 “(ii) in the case such drug is fur-
18 nished or administered to the individual by
19 a hospital, physician, or other provider of
20 services or supplier, an individual who is
21 enrolled under part B of title XVIII, in-
22 cluding an individual who is enrolled in an
23 MA plan under part C of such title, if pay-
24 ment may be made under part B for such
25 selected drug.

1 “(H) REFERENCE COUNTRY.—The term
2 ‘reference country’ means any of the following
3 countries:

4 “(i) Canada.

5 “(ii) Denmark.

6 “(iii) France.

7 “(iv) Germany.

8 “(v) Italy.

9 “(vi) Japan.

10 “(vii) Switzerland.

11 “(viii) The United Kingdom.

12 “(I) SPECIFIED DRUG.—The term ‘speci-
13 fied drug’ means—

14 “(i) a covered outpatient drug (as de-
15 fined in section 1927(k));

16 “(ii) a drug or biological product for
17 which payment may be made under part B
18 of title XVIII; or

19 “(iii) a covered part D drug (as de-
20 fined in section 1860D–2(e)).

21 “(J) SPECIFIED MANUFACTURER.—The
22 term ‘specified manufacturer’ means a manu-
23 facturer of a covered drug that does not have
24 a covered agreement with the Secretary.”.

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