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# 42 U.S. Code § 1395w-114d

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## Selected drug subsidy program

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With respect to covered part D drugs that would be applicable drugs (as defined in section 1395w-114c(g)(2) of this title) but for the application of subparagraph (B) of such section, the Secretary shall provide a process whereby, in the case of an applicable beneficiary (as defined in section 1395w-114c(g)(1) of this title) who, with respect to a year, is enrolled in a prescription drug plan or is enrolled in an MA-PD plan, has not incurred costs that are equal to or exceed the annual out-of-pocket threshold specified in section 1395w-102(b)(4)(B)(i) of this title, and is dispensed such a drug, the Secretary (periodically and on a timely basis) provides the PDP sponsor or the MA organization offering the plan, a subsidy with respect to such drug that is equal to 10 percent of the negotiated price (as defined in section 1395w-114c(g)(6) of this title) of such drug.

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