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# 42 U.S. Code § 1395w-153

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## Condition for coverage of drugs under this part

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### **(a) In general**

In order for coverage to be available under this part for covered part D drugs (as defined in section 1395w-102(e) of this title) of a manufacturer, the manufacturer must—

(1) participate in—

(A) for 2011 through 2024, the Medicare coverage gap discount program under section 1395w-114a of this title; and

(B) for 2025 and each subsequent year, the manufacturer discount program under section 1395w-114c of this title;

(2) have entered into and have in effect—

(A) for 2011 through 2024, an agreement described in subsection (b) of section 1395w-114a of this title with the Secretary; and

(B) for 2025 and each subsequent year, an agreement described in subsection (b) of section 1395w-114c of this title with the Secretary; and

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