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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish a grant program related to pre-exposure prophylaxis, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mrs. WATSON COLEMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish a grant program related to pre-exposure prophylaxis, and for other purposes.

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 “PrEP Assistance Pro-  
5       gram Act”.

1 **SEC. 2. PRE-EXPOSURE PROPHYLAXIS GRANT PROGRAM.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of enactment of this Act, the Secretary of Health and  
4 Human Services, acting through the Director of the Cen-  
5 ters for Disease Control and Prevention (in this section  
6 referred to as the “Secretary”) and in collaboration with  
7 Administrator of the Health Resources and Services Ad-  
8 ministration, shall establish a program that provides  
9 grants to eligible entities to establish and support PrEP  
10 programs.

11 (b) APPLICATIONS.—To be eligible to receive a grant  
12 under subsection (a), an eligible entity shall submit an ap-  
13 plication to the Secretary at such time, in such manner,  
14 and containing such information as the Secretary may re-  
15 quire, including a description of how any amounts award-  
16 ed shall be used.

17 (c) PREFERENCE.—In making grants under this sec-  
18 tion, the Secretary shall give preference to an eligible enti-  
19 ty that demonstrates a record of—

20 (1) serving communities with disproportionately  
21 high rate of incidence for human immunodeficiency  
22 virus (in this section referred to as “HIV”), includ-  
23 ing individuals located in rural communities, unin-  
24 sured individuals, or individuals in demographic  
25 groups at high risk of contracting HIV; or

1           (2) implementing innovative models to provide  
2       items or services, including the use of vending ma-  
3       chines, pop-up clinics, and peer-led interventions.

4       (d) AMOUNT.—Any grant provided to an eligible enti-  
5       ty under this section may not exceed \$10,000,000.

6       (e) USE OF FUNDS.—

7           (1) IN GENERAL.—Any eligible entity that is  
8       awarded an amount under subsection (a) shall use  
9       such amount for expenses associated with estab-  
10      lishing a PrEP program or supporting an existing  
11      PrEP program.

12          (2) ELIGIBLE EXPENSES.—The Secretary shall  
13      publish a list of eligible expenses associated with es-  
14      tablishing a PrEP program or supporting an exist-  
15      ing PrEP program. Such list shall include—

16                (A) clinic and laboratory fees;

17                (B) office visits, including telehealth visits;

18                (C) PrEP medication;

19                (D) blood and urine testing as required in  
20      association with the use of PrEP medication;

21                (E) sexually transmitted disease testing in  
22      accordance with guidelines issued by the Cen-  
23      ters for Disease Control and Prevention;

24                (F) adherence services and counseling;

1 (G) outreach activities directed toward as-  
2 sisting health professionals to become eligible to  
3 prescribe pre-exposure prophylaxis medications  
4 in the State or Indian Tribal government where  
5 the program is operating;

6 (H) outreach activities directed toward  
7 physicians that provide education about PrEP;

8 (I) peer navigation;

9 (J) case management;

10 (K) transportation support;

11 (L) mental health services; and

12 (M) other similar items or services.

13 (f) PAYMENT FOR SERVICES.—An individual that re-  
14 ceives a service or item from a PreP program established  
15 or supported using amounts under this section may not  
16 be required to provide payment for such service or item.

17 (g) MATCHING.—

18 (1) IN GENERAL.—Except with respect to an  
19 Indian Tribal government, a grantee under this sec-  
20 tion shall contribute, to the PrEP program estab-  
21 lished or supported by the grant, an amount equal  
22 to not less than 10 percent of the amount of the  
23 grant.

24 (2) EXCEPTION.—The Secretary may waive the  
25 requirement under paragraph (1) for a Federally

1 qualified health center, rural health clinic, commu-  
2 nity-based organization, hospital-based clinic, or uni-  
3 versity-based clinic if the Secretary determines such  
4 a waiver is necessary.

5 (h) REPORT TO CONGRESS.—

6 (1) IN GENERAL.—The Secretary shall, in each  
7 of the first 5 years beginning 1 year after the date  
8 of the enactment of this Act, submit to Congress,  
9 and make public on the Internet website of the De-  
10 partment of Health and Human Services, a report  
11 on the impact of grants provided to eligible entities  
12 under this Act.

13 (2) CONTENTS.—A report submitted under  
14 paragraph (1) shall—

15 (A) include disaggregated data by race,  
16 gender identity, age, and geographic location;  
17 and

18 (B) evaluate, with respect to the period  
19 covered by the report, any reduction in—

20 (i) the disparity of the prevalence of  
21 PrEP services provided within the demo-  
22 graphics described in this paragraph; and

23 (ii) the prevalence of PrEP.

1 (i) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this Act  
3 \$400,000,000 for each of fiscal years 2027 through 2031.

4 (j) DEFINITIONS.—In this Act:

5 (1) COMMUNITY-BASED ORGANIZATION.—The  
6 term “community-based organization” means a non-  
7 profit or private organization that—

8 (A) represents a community or significant  
9 segments of a community;

10 (B) provides health care or health-related  
11 services to high-risk or high-need individuals in  
12 a community; and

13 (C) demonstrates effectiveness with respect  
14 to such health care or health-related services.

15 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
16 ty” means—

17 (A) a State;

18 (B) a local government;

19 (C) an Indian Tribal government;

20 (D) a Federally qualified health center (as  
21 defined in section 1861(aa) of the Social Secu-  
22 rity Act (42 U.S.C. 1395x(aa)));

23 (E) a rural health clinic (as defined in sec-  
24 tion 1861(aa) of the Social Security Act (42  
25 U.S.C. 1395x(aa)));

1 (F) a community-based organization;

2 (G) a hospital-based clinic; or

3 (H) a university-based clinic.

4 (3) INDIAN TRIBAL GOVERNMENT.—The term  
5 “Indian Tribal government” means the governing  
6 body of any Indian tribe (as defined in section 102  
7 of the Federally Recognized Indian Tribe List Act of  
8 1994 (25 U.S.C. 5130)).

9 (4) PREP PROGRAM.—The term “PrEP pro-  
10 gram” means a program designed to provide pre-ex-  
11 posure prophylaxis and pre-exposure prophylaxis-re-  
12 lated services to individuals.

13 (5) PREP MEDICATION.—The term “PrEP  
14 medication” means any medication approved by the  
15 Federal Drug Administration and designed to pre-  
16 vent individuals at risk of contracting HIV from  
17 contracting HIV.

18 (6) STATE.—The term “State” means each  
19 State of the United States, the District of Columbia,  
20 Puerto Rico, the Virgin Islands, Guam, American  
21 Samoa, and the Commonwealth of the Northern  
22 Mariana Islands.

1 **SEC. 3. REQUIRING THE SECRETARY OF HEALTH AND**  
2 **HUMAN SERVICES TO ESTABLISH A PRO-**  
3 **GRAM TO REIMBURSE HEALTH CARE PRO-**  
4 **VIDERS FOR FURNISHING SPECIFIED HIV**  
5 **PREVENTION ITEMS AND SERVICES TO UNIN-**  
6 **SURED INDIVIDUALS.**

7 (a) IN GENERAL.—Not later than 1 year after the  
8 date of the enactment of this section, the Secretary of  
9 Health and Human Services shall establish a program  
10 under which—

11 (1) program-registered providers submit claims  
12 to the Secretary with respect to the furnishing of  
13 specified HIV prevention items and services to unin-  
14 sured individuals;

15 (2) the Secretary, subject to the availability of  
16 appropriations, pays each such provider for such  
17 items and services in an amount established under  
18 subsection (b); and

19 (3) the Secretary provides for the development  
20 and distribution of a card (or other technology), to  
21 be referred to as a “PrEP Pass”, that may be used  
22 by an uninsured individual to assure access to speci-  
23 fied HIV prevention items and services from pro-  
24 gram-registered providers at no cost to such indi-  
25 vidual.

26 (b) PAYMENT AMOUNT.—



1           (1) IN GENERAL.—Subject to paragraph (2),  
2           the Secretary shall establish a payment amount for  
3           each specified HIV prevention item or service under  
4           the program under subsection (a). The Secretary  
5           shall review such payment amount not less fre-  
6           quently than once every 2 years.

7           (2) LABORATORY TESTS.—In the case of a  
8           specified HIV prevention item or service that is a  
9           clinical diagnostic laboratory test covered under part  
10          B of title XVIII of the Social Security Act (42  
11          U.S.C. 1395 et seq.), the payment amount for such  
12          test under the program under subsection (a) shall be  
13          equal to the payment amount determined with re-  
14          spect to such test under section 1834A of such Act.

15          (c) DEFINITIONS.—In this section:

16               (1) SPECIFIED HIV PREVENTION ITEMS AND  
17               SERVICES.—The term “specified HIV prevention  
18               items and services” means—

19                       (A) any drug approved by the Federal  
20                       Drug Administration for the prevention of HIV,  
21                       including any such drug approved for use as  
22                       pre-exposure prophylaxis (commonly referred to  
23                       as “PrEP”), and administrative fees for such  
24                       drugs; and

1 (B) laboratory and other diagnostic proce-  
2 dures associated with the use of such drugs  
3 that are recommended in the most recent clin-  
4 ical practice guidelines of the Centers for Dis-  
5 ease Control and Prevention.

6 (2) PROGRAM-REGISTERED PROVIDER.—The  
7 term “program-registered provider” means a health  
8 care provider that—

9 (A) is licensed or otherwise authorized to  
10 furnish a specified HIV prevention item or serv-  
11 ice in the State in which such provider fur-  
12 nishes such item or service under the program  
13 established under this section; and

14 (B) enters into an agreement with the Sec-  
15 retary under which the provider agrees not to  
16 hold an uninsured individual liable for the cost  
17 of specified HIV prevention items and services  
18 with respect to which a payment is made under  
19 subsection (a)(2).

20 (3) SECRETARY.—The term “Secretary” means  
21 the Secretary of Health and Human Services, acting  
22 through the Administrator of the Health Resources  
23 and Services Administration.

24 (4) UNINSURED INDIVIDUAL.—The term “unin-  
25 sured individual” means, with respect to an indi-

1       vidual furnished a specified HIV prevention item or  
2       service, an individual who is not enrolled in—

3               (A) a Federal health care program (as de-  
4               fined in section 1128B(f) of the Social Security  
5               Act (42 U.S.C. 1320a–7b(f)));

6               (B) a group health plan or health insur-  
7               ance coverage offered by a health insurance  
8               issuer in the group or individual market (as  
9               such terms are defined in section 2791 of the  
10              Public Health Service Act (42 U.S.C. 300gg–  
11              91)); or

12              (C) a health plan offered under chapter 89  
13              of title 5, United States Code.