HR 5350

Prescription Affordability and Medicine Safety Act of 2002

Congress: 107 (2001–2003, Ended)
Chamber: House
Policy Area: Health
Introduced: Sep 9, 2002
Current Status: Referred to the Subcommittee on Health.
Latest Action: Referred to the Subcommittee on Health. (Sep 23, 2002)
Official Text: https://www.congress.gov/bill/107th-congress/house-bill/5350

Sponsor

Name: Rep. Kennedy, Patrick J. [D-RI-1]
Party: Democratic • **State:** RI • **Chamber:** House

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Oct 2, 2002
Rep. Frost, Martin [D-TX-24]	D · TX		Oct 2, 2002
Rep. Hilliard, Earl F. [D-AL-7]	D · AL		Oct 2, 2002
Rep. Lipinski, William O. [D-IL-3]	D · IL		Oct 2, 2002
Rep. Crowley, Joseph [D-NY-7]	D · NY		Oct 9, 2002
Rep. Allen, Thomas H. [D-ME-1]	D · ME		Oct 16, 2002
Rep. Sanders, Bernard [I-VT-At Large]	I · VT		Nov 13, 2002

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Sep 23, 2002
Ways and Means Committee	House	Referred To	Sep 9, 2002

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Sep 9, 2002)

Prescription Affordability and Medicine Safety Act of 2002 - Authorizes appropriations for the Food and Drug Administration (FDA) for generic drug application review and the continuation of the education program on the use and therapeutic equivalency of drugs.

Amends the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to States in support of State pharmacy benefit assistance programs. Requires a percentage of profits from the sale of certain drugs and biological products to be placed in a revolving fund and used to support the grants program.

Limits the tax deductions for advertizing for prescription drug manufacturers.

Limits the extension of the 30 month stay of FDA approval for any new (generic) drug, as specified, thereby limiting the brand name drug's patent owner's period of exclusive sales.

Makes a patent owner's failure to timely file a civil action for infringement a bar to later action.

Sets forth requirements for filing drug patent information with the FDA. Makes a patent owner's failure to timely file with the FDA a bar to civil actions for patent infringement.

Requires the first generic drug applicant with a specified certification to forfeit the 180 day marketing exclusivity period to a subsequent generic drug applicant if the first generic drug applicant engages in certain behaviors which delay or prevent the marketing of the generic drug.

Actions Timeline

- **Sep 23, 2002:** Referred to the Subcommittee on Health.
- **Sep 9, 2002:** Introduced in House
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- **Sep 9, 2002:** 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.
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