

S 2328

Pharmaceutical Market Access and Drug Safety Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Apr 21, 2004

Current Status: Committee on the Judiciary. Hearings held.

Latest Action: Committee on the Judiciary. Hearings held. (Jul 14, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2328>

Sponsor

Name: Sen. Dorgan, Byron L. [D-ND]

Party: Democratic • **State:** ND • **Chamber:** Senate

Cosponsors (31 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Chafee, Lincoln [R-RI]	R · RI		Apr 21, 2004
Sen. Daschle, Thomas A. [D-SD]	D · SD		Apr 21, 2004
Sen. Feingold, Russell D. [D-WI]	D · WI		Apr 21, 2004
Sen. Johnson, Tim [D-SD]	D · SD		Apr 21, 2004
Sen. Kennedy, Edward M. [D-MA]	D · MA		Apr 21, 2004
Sen. Lott, Trent [R-MS]	R · MS		Apr 21, 2004
Sen. McCain, John [R-AZ]	R · AZ		Apr 21, 2004
Sen. Pryor, Mark L. [D-AR]	D · AR		Apr 21, 2004
Sen. Snowe, Olympia J. [R-ME]	R · ME		Apr 21, 2004
Sen. Stabenow, Debbie [D-MI]	D · MI		Apr 21, 2004
Sen. Dayton, Mark [D-MN]	D · MN		Apr 22, 2004
Sen. Feinstein, Dianne [D-CA]	D · CA		Apr 22, 2004
Sen. Nelson, Bill [D-FL]	D · FL		Apr 22, 2004
Sen. Schumer, Charles E. [D-NY]	D · NY		Apr 22, 2004
Sen. Kerry, John F. [D-MA]	D · MA		Apr 26, 2004
Sen. Leahy, Patrick J. [D-VT]	D · VT		Apr 26, 2004
Sen. Boxer, Barbara [D-CA]	D · CA		Apr 27, 2004
Sen. Durbin, Richard J. [D-IL]	D · IL		Apr 27, 2004
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Apr 29, 2004
Sen. Levin, Carl [D-MI]	D · MI		May 4, 2004
Sen. Kohl, Herb [D-WI]	D · WI		May 6, 2004
Sen. Inouye, Daniel K. [D-HI]	D · HI		Jun 9, 2004
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jun 14, 2004
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Jun 15, 2004
Sen. Specter, Arlen [R-PA]	R · PA		Jun 18, 2004
Sen. Jeffords, James M. [I-VT]	I · VT		Jun 22, 2004
Sen. Edwards, John [D-NC]	D · NC		Jun 24, 2004
Sen. Conrad, Kent [D-ND]	D · ND		Jul 6, 2004
Sen. Reid, Harry [D-NV]	D · NV		Jul 6, 2004
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Jul 6, 2004
Sen. Dodd, Christopher J. [D-CT]	D · CT		Sep 10, 2004

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Hearings By (full committee)	May 20, 2004
Judiciary Committee	Senate	Hearings By (full committee)	Jul 14, 2004

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Apr 21, 2004)

Pharmaceutical Market Access and Drug Safety Act of 2004 - Amends the Federal Food, Drug, and Cosmetic Act to revise provisions governing the importation of prescription drugs. Requires the Secretary of Health and Human Services to promulgate regulations allowing the importation of prescription drugs by registered exporters or registered importers from Canada within 90 days of passage of this Act and from Australia, European Union countries, Japan, New Zealand, or Switzerland within one year.

Provides for inspection, tracking of drugs, and registration and inspection fees for registered importers and exporters.

Requires manufacturers to: (1) submit a statement to the Secretary explaining each difference between a drug approved and distributed in the United States and a related drug distributed in a foreign country; and (2) submit an application to the Food and Drug Administration (FDA) for approval of a related drug that is distributed in a foreign country if there is no comparable drug already approved in at least half of the permitted countries that can be imported to the United States.

Allows for the immediate importation of prescription drugs for personal use from licensed Canadian pharmacies.

Amends the Clayton Act to prohibit drug manufacturers from preventing importation by engaging in behavior such as charging higher prices or limiting supplies to registered exporters and importers or changing the form of the drug for such purpose.

States that the resale in the United States of prescription drugs that were properly sold abroad is not patent infringement.

Requires the Secretary of Homeland Security to refuse admission of drugs that violate importation provisions. Allows the destruction of certain violative shipments.

Amends the Controlled Substances Act to repeal the exemption that permitted individuals to import controlled substances for personal medical use.

Actions Timeline

- **Jul 14, 2004:** Committee on the Judiciary. Hearings held.
- **May 20, 2004:** Committee on Health, Education, Labor, and Pensions. Hearings held. Hearings printed: S.Hrg. 108-470.
- **Apr 21, 2004:** Introduced in Senate
- **Apr 21, 2004:** Sponsor introductory remarks on measure. (CR S4227-4228)
- **Apr 21, 2004:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.