

S 2445

Direct to Consumer Prescription Drug Advertising Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Health

Introduced: May 19, 2004

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (May 19, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2445>

Sponsor

Name: Sen. Edwards, John [D-NC]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	May 19, 2004

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Direct to Consumer Prescription Drug Advertising Act of 2004 - Requires the Director of the National Institutes of Health to conduct research to compare the effectiveness and safety of prescription drugs covered under Federal Employees Health Benefits Program plans relative to other prescription drugs used to treat the same condition or disease.

Requires the Secretary of Health and Human Services to promulgate amended regulations governing prescription drug advertisements, including to: (1) require such advertisements to present a fair balance between information on the effectiveness of, and side effects or contraindications of, the drug; (2) prohibit false or misleading advertising that would encourage a consumer to take the prescription drug for other than an approved use; and (3) require that all prescription drugs sold to consumers include an explanation of the benefits and risks of use in terms understandable to the general public.

Amends the Federal Food, Drug, and Cosmetic Act to set forth civil penalties for the misbranding of a prescription drug in a direct-to-consumer advertisement if the Secretary provides the person written notice of the violation and the person fails to correct or cease the advertisement to eliminate the violation.

Requires the Secretary to annually report specified details of all direct-to-consumer advertisements, including those that violate Federal law, and actions taken by the Secretary to respond to such violations.

Requires the Secretary to expedite the review of direct-to-consumer drug advertisements. Prohibits the Secretary from adopting any policy that would delay reviews, except as a result of notice-and-comment rulemaking and as necessary to protect public health and safety.

Actions Timeline

- **May 19, 2004:** Introduced in Senate
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