

HR 4899

Sustainable Drug Pricing Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Health

Introduced: Jul 22, 2004

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Jul 22, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/4899>

Sponsor

Name: Rep. Brown, Sherrod [D-OH-13]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Sep 30, 2004

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jul 22, 2004
Ways and Means Committee	House	Referred To	Jul 22, 2004

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Sustainable Drug Pricing Act - Amends the Public Health Service Act to require the Secretary of Health and Human Services to enter into agreements with the manufacturers of brand name prescription drugs for four-year terms to establish a maximum wholesale price for such drugs. Defines brand name prescription drugs as FDA-approved prescription drugs with market exclusivity. Requires such agreements to specify a liquidated penalty that is sufficient to deter violations for failure to maintain substantial compliance. Allows the Secretary to notify the Secretary of the Treasury that there is no longer an effective agreement in place if such a penalty is not paid. Requires the Secretary to monitor prices to ensure compliance. Allows the Secretary to require manufacturers entering into such agreements to cooperate with such monitoring and to allow the Secretary access to relevant financial records.

Requires the Secretary to establish the Advisory Panel on Drug-Price Negotiations to advise the Secretary on establishing prices. Requires the Panel to provide the Secretary with recommended drug prices for 25 drugs that the Panel considers important to the public health and for an additional 25 drugs that are the most commonly prescribed drugs in the United States.

Amends the Internal Revenue Code of 1986 to disallow: (1) a deduction for advertising, promotion, or marketing of brand name prescription drugs without a qualified pricing agreement in effect for the entire taxable year; and (2) a foreign tax credit for such drugs manufactured by the taxpayer without a qualified pricing agreement in effect for the entire taxable year.

Actions Timeline

- **Jul 22, 2004:** Introduced in House
- **Jul 22, 2004:** 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.
- **Jul 22, 2004:** Referred to the Subcommittee on Health.

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