HR 2345

Tim Fagan's Law

Congress: 109 (2005–2007, Ended)
Chamber: House
Policy Area: Health
Introduced: May 12, 2005
Current Status: Referred to the Subcommittee on Health.
Latest Action: Referred to the Subcommittee on Health. (May 23, 2005)
Official Text: https://www.congress.gov/bill/109th-congress/house-bill/2345

Sponsor

Name: Rep. Israel, Steve [D-NY-2]
Party: Democratic • **State:** NY • **Chamber:** House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Dec 13, 2005
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Dec 13, 2005
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Dec 13, 2005
Rep. Davis, Danny K. [D-IL-7]	D · IL		Dec 13, 2005
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Dec 13, 2005
Rep. Owens, Major R. [D-NY-11]	D · NY		Dec 13, 2005
Rep. Watson, Diane E. [D-CA-33]	D · CA		Dec 13, 2005
Rep. Higgins, Brian [D-NY-27]	D · NY		Dec 14, 2005
Rep. Pastor, Ed [D-AZ-4]	D · AZ		Dec 22, 2005
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Dec 22, 2005
Rep. Fattah, Chaka [D-PA-2]	D · PA		Feb 14, 2006
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Feb 14, 2006
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Mar 2, 2006
Rep. Lowey, Nita M. [D-NY-18]	D · NY		Jul 26, 2006

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	May 23, 2005

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
109 S 1978	Related bill	**Nov 9, 2005:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
109 HR 1396	Related bill	**Mar 22, 2005:** Referred to the Subcommittee on Health.

Summary (as of May 12, 2005)

Tim Fagan's Law or the Counterfeit Drug Enforcement Act of 2005 - Amends the Federal Food, Drug, and Cosmetic Act to establish a criminal fine and/or imprisonment for a person who: (1) knowingly causes a prescription drug to be adulterated, misbranded, or misrepresented as an approved prescription drug and sells or trades the drug; or (2) purchases or trades for such drug knowing or having reason to know that the drug was knowingly adulterated, misbranded, or misrepresented. Requires a manufacturer of a drug to notify the Secretary of Health and Human Services within 48 hours after first receiving or becoming aware of information that reasonably suggests that such a violation may have occurred.

Deems a drug to be misbranded if it is not manufactured in accordance with the use of technologies that the Secretary determines are technically feasible and will assist in preventing such violations.

Requires the Secretary to establish alternative requirements to the extent that such requirements provide greater certainty on the chain of custody and are technically feasible.

Increases funding for Food and Drug Administration (FDA) inspections, examinations, and investigations.

Requires the Secretary to educate the public and health care professionals on counterfeit drugs.

Directs the Secretary: (1) upon a finding of reasonable probability that a drug intended for human use would cause serious health consequences or death, to issue an order requiring the appropriate person (including the manufacturers, importers, distributors, or retailers of the drug) to cease distribution of the drug and to notify and instruct health professionals to cease administering or prescribing the drug; and (2) amend the order to include a recall if necessary.

Actions Timeline

- **May 23, 2005:** Referred to the Subcommittee on Health.
- **May 12, 2005:** Introduced in House
- **May 12, 2005:** Introduced in House
- **May 12, 2005:** Sponsor introductory remarks on measure. (CR E950-951)
- **May 12, 2005:** Referred to the House Committee on Energy and Commerce.