

HR 6353

Ryan Haight Online Pharmacy Consumer Protection Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Jun 24, 2008

Current Status: Became Public Law No: 110-425.

Latest Action: Became Public Law No: 110-425. (Oct 15, 2008)

Law: 110-425 (Enacted Oct 15, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/6353>

Sponsor

Name: Rep. Stupak, Bart [D-MI-1]

Party: Democratic • **State:** MI • **Chamber:** House

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bono, Mary [R-CA-45]	R · CA		Jun 24, 2008
Rep. Boucher, Rick [D-VA-9]	D · VA		Jun 24, 2008
Rep. Chabot, Steve [R-OH-1]	R · OH		Jun 24, 2008
Rep. Feeney, Tom [R-FL-24]	R · FL		Jun 24, 2008
Rep. Gallegly, Elton [R-CA-24]	R · CA		Jun 24, 2008
Rep. Lungren, Daniel E. [R-CA-3]	R · CA		Jun 24, 2008
Rep. Smith, Lamar [R-TX-21]	R · TX		Jun 24, 2008
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Jun 24, 2008
Rep. Davis, Danny K. [D-IL-7]	D · IL		Jun 26, 2008
Rep. Levin, Sander M. [D-MI-12]	D · MI		Jul 9, 2008
Rep. Bachmann, Michele [R-MN-6]	R · MN		Jul 22, 2008
Rep. Napolitano, Grace F. [D-CA-38]	D · CA		Jul 24, 2008
Rep. Souder, Mark E. [R-IN-3]	R · IN		Sep 15, 2008

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported By	Sep 24, 2008
Judiciary Committee	House	Discharged From	Sep 24, 2008

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
110 S 980	Related bill	Nov 17, 2008: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 110-521.

(This measure has not been amended since it was passed by the House on September 28, 2008. The summary of that version is repeated here.)

Ryan Haight Online Pharmacy Consumer Protection Act of 2008 - Amends the Controlled Substances Act to prohibit the delivery, distribution, or dispensing of a controlled substance that is a prescription drug over the Internet without a valid prescription. Exempts telemedicine practitioners.

Defines "valid prescription" as a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by a practitioner who has conducted at least one in-person medical evaluation of a patient.

Defines "online pharmacy" as a person, entity, or Internet site, whether in the United States or abroad, that knowingly or intentionally delivers, distributes, or dispenses a controlled substance by means of the Internet. Excludes from such definition: (1) manufacturers or distributors who do not dispense controlled substances to an unregistered individual or entity; (2) nonpharmacy practitioners; (3) certain hospitals or medical facilities operated by the federal government or by an Indian tribe or tribal organization; (4) mere advertisements that do not attempt to facilitate an actual transaction involving a controlled substance; and (5) other persons or entities the exclusion of which the Attorney General and the Secretary of Health and Human Services find to be consistent with effective controls against diversion and with the public health and safety.

Imposes registration and reporting requirements on online pharmacies that dispense 100 or more prescriptions or 5,000 or more dosage units of all controlled substances combined in one month.

Requires an online pharmacy to: (1) display specified information on its Internet home page, including a statement that it complies with the requirements of this Act, its name, address, and telephone number, the qualifications of its pharmacist-in-charge, and a certification of its registration under this Act; (2) comply with state laws for the licensure of pharmacies in each state in which it operates or sells controlled substances; and (3) notify the Attorney General and applicable state boards of pharmacy 30 days prior to offering to sell, deliver, distribute, or dispense controlled substances over the Internet.

Authorizes the Attorney General to issue a special registration under this Act for telemedicine practitioners. Requires practitioners who issue a prescription for a controlled substance under the authorization to conduct telemedicine during a medical emergency to report to the Secretary of Veterans Affairs the authorization of that emergency prescription.

Increases criminal penalties involving controlled substances in Schedules III, IV, and V of the Controlled Substances Act.

Authorizes states to apply for injunctions or obtain damages and other civil remedies against online pharmacies that are deemed a threat to state residents.

Requires the Drug Enforcement Administration (DEA) to report to Congress not later than 180 days after the enactment of this Act and annually for two years after such initial report on: (1) the foreign supply chains and sources of controlled substances offered for sale without a valid prescription on the Internet; (2) DEA efforts and strategy to decrease such foreign supply chains; and (3) DEA efforts to work with domestic and multinational pharmaceutical companies and others in combating the sale of controlled substances over the Internet without a valid prescription.

Actions Timeline

- **Oct 15, 2008:** Signed by President.
- **Oct 15, 2008:** Became Public Law No: 110-425.
- **Oct 6, 2008:** Presented to President.
- **Oct 1, 2008:** Message on Senate action sent to the House.
- **Sep 30, 2008:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S10184-10185)
- **Sep 30, 2008:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S10184-10185)
- **Sep 30, 2008:** Cleared for White House.
- **Sep 25, 2008:** Received in the Senate, read twice.
- **Sep 23, 2008:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-869, Part I.
- **Sep 23, 2008:** Committee on Judiciary discharged.
- **Sep 23, 2008:** Placed on the Union Calendar, Calendar No. 565.
- **Sep 23, 2008:** Mr. Pallone moved to suspend the rules and pass the bill, as amended.
- **Sep 23, 2008:** Considered under suspension of the rules. (consideration: CR H8691-8696)
- **Sep 23, 2008:** DEBATE - The House proceeded with forty minutes of debate on H.R. 6353.
- **Sep 23, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H8691-8694)
- **Sep 23, 2008:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H8691-8694)
- **Sep 23, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 17, 2008:** Committee Consideration and Mark-up Session Held.
- **Sep 17, 2008:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 24, 2008:** Introduced in House
- **Jun 24, 2008:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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.