

HR 971

Community Pharmacy Fairness Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Feb 8, 2007

Current Status: Placed on the Union Calendar, Calendar No. 579.

Latest Action: Placed on the Union Calendar, Calendar No. 579. (Sep 28, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/971>

Sponsor

Name: Rep. Weiner, Anthony D. [D-NY-9]

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

Cosponsors (192 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Moran, Jerry [R-KS-1]	R · KS		Feb 8, 2007
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Feb 12, 2007
Rep. Shays, Christopher [R-CT-4]	R · CT		Feb 12, 2007
Rep. Aderholt, Robert B. [R-AL-4]	R · AL		Feb 14, 2007
Rep. Boyda, Nancy E. [D-KS-2]	D · KS		Feb 14, 2007
Rep. Coble, Howard [R-NC-6]	R · NC		Feb 14, 2007
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Feb 14, 2007
Rep. Ross, Mike [D-AR-4]	D · AR		Feb 14, 2007
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Feb 15, 2007
Rep. Everett, Terry [R-AL-2]	R · AL		Feb 15, 2007
Rep. Graves, Sam [R-MO-6]	R · MO		Feb 15, 2007
Rep. Cramer, Robert E. (Bud), Jr. [D-AL-5]	D · AL		Feb 16, 2007
Rep. Berry, Marion [D-AR-1]	D · AR		Feb 28, 2007
Rep. Bonner, Jo [R-AL-1]	R · AL		Feb 28, 2007
Rep. Cooper, Jim [D-TN-5]	D · TN		Feb 28, 2007
Rep. Delahunt, William D. [D-MA-10]	D · MA		Feb 28, 2007
Rep. Fattah, Chaka [D-PA-2]	D · PA		Feb 28, 2007
Rep. Gordon, Bart [D-TN-6]	D · TN		Feb 28, 2007
Rep. Higgins, Brian [D-NY-27]	D · NY		Feb 28, 2007
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Feb 28, 2007
Rep. Holden, Tim [D-PA-17]	D · PA		Feb 28, 2007
Rep. Israel, Steve [D-NY-2]	D · NY		Feb 28, 2007
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Feb 28, 2007
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Feb 28, 2007
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Feb 28, 2007
Rep. Miller, Brad [D-NC-13]	D · NC		Feb 28, 2007
Rep. Peterson, John E. [R-PA-5]	R · PA		Feb 28, 2007
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Feb 28, 2007
Rep. Reyes, Silvestre [D-TX-16]	D · TX		Feb 28, 2007
Rep. Terry, Lee [R-NE-2]	R · NE		Feb 28, 2007
Rep. Wexler, Robert [D-FL-19]	D · FL		Feb 28, 2007
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Feb 28, 2007
Rep. Brady, Robert A. [D-PA-1]	D · PA		Mar 1, 2007
Rep. Camp, Dave [R-MI-4]	R · MI		Mar 1, 2007
Rep. Etheridge, Bob [D-NC-2]	D · NC		Mar 1, 2007
Rep. Kagen, Steve [D-WI-8]	D · WI		Mar 1, 2007
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Mar 1, 2007
Rep. Murtha, John P. [D-PA-12]	D · PA		Mar 1, 2007
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Mar 1, 2007
Rep. Price, David E. [D-NC-4]	D · NC		Mar 1, 2007
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Mar 6, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Mar 6, 2007
Rep. Filner, Bob [D-CA-51]	D · CA		Mar 6, 2007
Rep. Herger, Wally [R-CA-2]	R · CA		Mar 6, 2007
Rep. Klein, Ron [D-FL-22]	D · FL		Mar 6, 2007
Rep. McHugh, John M. [R-NY-23]	R · NY		Mar 6, 2007
Rep. McIntyre, Mike [D-NC-7]	D · NC		Mar 6, 2007
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Mar 6, 2007
Rep. Ortiz, Solomon P. [D-TX-27]	D · TX		Mar 6, 2007
Rep. Salazar, John T. [D-CO-3]	D · CO		Mar 6, 2007
Rep. Goode, Virgil H., Jr. [R-VA-5]	R · VA		Mar 8, 2007
Rep. Kennedy, Patrick J. [D-RI-1]	D · RI		Mar 8, 2007
Rep. Marshall, Jim [D-GA-8]	D · GA		Mar 8, 2007
Rep. Wamp, Zach [R-TN-3]	R · TN		Mar 8, 2007
Rep. Allen, Thomas H. [D-ME-1]	D · ME		Mar 12, 2007
Rep. Moore, Dennis [D-KS-3]	D · KS		Mar 12, 2007
Rep. Moran, James P. [D-VA-8]	D · VA		Mar 12, 2007
Rep. Upton, Fred [R-MI-6]	R · MI		Mar 12, 2007
Rep. Napolitano, Grace F. [D-CA-38]	D · CA		Mar 14, 2007
Rep. Thornberry, Mac [R-TX-13]	R · TX		Mar 15, 2007
Rep. Abercrombie, Neil [D-HI-1]	D · HI		Mar 19, 2007
Rep. Barrett, J. Gresham [R-SC-3]	R · SC		Mar 19, 2007
Rep. Castor, Kathy [D-FL-11]	D · FL		Mar 19, 2007
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Mar 19, 2007
Rep. Farr, Sam [D-CA-17]	D · CA		Mar 19, 2007
Rep. Hayes, Robin [R-NC-8]	R · NC		Mar 19, 2007
Rep. Herseth, Stephanie [D-SD-At Large]	D · SD		Mar 19, 2007
Rep. Spratt, John M., Jr. [D-SC-5]	D · SC		Mar 19, 2007
Rep. Towns, Edolphus [D-NY-10]	D · NY		Mar 19, 2007
Rep. Boucher, Rick [D-VA-9]	D · VA		Mar 21, 2007
Rep. Davis, David [R-TN-1]	R · TN		Mar 21, 2007
Rep. Gohmert, Louie [R-TX-1]	R · TX		Mar 21, 2007
Rep. Paul, Ron [R-TX-14]	R · TX		Mar 21, 2007
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Mar 21, 2007
Rep. Shuler, Heath [D-NC-11]	D · NC		Mar 21, 2007
Rep. Taylor, Gene [D-MS-4]	D · MS		Mar 21, 2007
Rep. Alexander, Rodney [R-LA-5]	R · LA		Mar 23, 2007
Rep. Gingrey, Phil [R-GA-11]	R · GA		Mar 23, 2007
Rep. McNulty, Michael R. [D-NY-21]	D · NY		Mar 23, 2007
Rep. Edwards, Chet [D-TX-17]	D · TX		Mar 26, 2007
Rep. Jindal, Bobby [R-LA-1]	R · LA		Mar 26, 2007
Rep. Slaughter, Louise McIntosh [D-NY-28]	D · NY		Mar 26, 2007
Rep. Stupak, Bart [D-MI-1]	D · MI		Mar 26, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Mar 27, 2007
Rep. Miller, Jeff [R-FL-1]	R · FL		Mar 27, 2007
Rep. Skelton, Ike [D-MO-4]	D · MO		Mar 27, 2007
Rep. Smith, Adrian [R-NE-3]	R · NE		Mar 27, 2007
Rep. Drake, Thelma D. [R-VA-2]	R · VA		Mar 28, 2007
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Mar 28, 2007
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Mar 28, 2007
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Mar 29, 2007
Rep. Boozman, John [R-AR-3]	R · AR		Mar 29, 2007
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Mar 29, 2007
Rep. Carney, Christopher P. [D-PA-10]	D · PA		Mar 29, 2007
Rep. Gerlach, Jim [R-PA-6]	R · PA		Mar 29, 2007
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Mar 29, 2007
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Apr 16, 2007
Rep. Cubin, Barbara [R-WY-At Large]	R · WY		Apr 16, 2007
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Apr 16, 2007
Rep. Gilchrest, Wayne T. [R-MD-1]	R · MD		Apr 16, 2007
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Apr 16, 2007
Rep. Larsen, Rick [D-WA-2]	D · WA		Apr 16, 2007
Rep. Snyder, Vic [D-AR-2]	D · AR		Apr 16, 2007
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Apr 16, 2007
Rep. Arcuri, Michael A. [D-NY-24]	D · NY		Apr 17, 2007
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Apr 17, 2007
Rep. Rehberg, Dennis R. [R-MT-At Large]	R · MT		Apr 17, 2007
Rep. Hodes, Paul W. [D-NH-2]	D · NH		Apr 18, 2007
Rep. Courtney, Joe [D-CT-2]	D · CT		Apr 19, 2007
Rep. Space, Zachary T. [D-OH-18]	D · OH		Apr 19, 2007
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Apr 23, 2007
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Apr 23, 2007
Rep. Jordan, Jim [R-OH-4]	R · OH		Apr 23, 2007
Rep. Pomeroy, Earl [D-ND-At Large]	D · ND		Apr 23, 2007
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Apr 23, 2007
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Apr 23, 2007
Rep. Melancon, Charlie [D-LA-3]	D · LA		Apr 25, 2007
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Apr 25, 2007
Rep. Capuano, Michael E. [D-MA-8]	D · MA		May 1, 2007
Rep. Davis, Geoff [R-KY-4]	R · KY		May 1, 2007
Rep. Hall, Ralph M. [R-TX-4]	R · TX		May 1, 2007
Rep. Hooley, Darlene [D-OR-5]	D · OR		May 1, 2007
Rep. Cuellar, Henry [D-TX-28]	D · TX		May 2, 2007
Rep. Hare, Phil [D-IL-17]	D · IL		May 3, 2007
Rep. Carter, John R. [R-TX-31]	R · TX		May 15, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Chandler, Ben [D-KY-6]	D · KY		May 15, 2007
Rep. Ellsworth, Brad [D-IN-8]	D · IN		May 15, 2007
Rep. Jefferson, William J. [D-LA-2]	D · LA		May 15, 2007
Rep. Michaud, Michael H. [D-ME-2]	D · ME		May 15, 2007
Rep. Ramstad, Jim [R-MN-3]	R · MN		May 15, 2007
Rep. Roybal-Allard, Lucille [D-CA-34]	D · CA		May 15, 2007
Rep. Simpson, Michael K. [R-ID-2]	R · ID		May 15, 2007
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		May 16, 2007
Rep. Schiff, Adam B. [D-CA-29]	D · CA		May 16, 2007
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		May 17, 2007
Rep. Loebsack, David [D-IA-2]	D · IA		May 21, 2007
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		May 21, 2007
Rep. Murphy, Christopher [D-CT-5]	D · CT		May 21, 2007
Rep. Rodriguez, Ciro D. [D-TX-23]	D · TX		May 21, 2007
Rep. Walberg, Timothy [R-MI-7]	R · MI		May 21, 2007
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		May 22, 2007
Rep. McCaul, Michael T. [R-TX-10]	R · TX		May 22, 2007
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		May 22, 2007
Rep. Fallin, Mary [R-OK-5]	R · OK		May 23, 2007
Rep. Lampson, Nick [D-TX-22]	D · TX		May 23, 2007
Rep. Sali, Bill [R-ID-1]	R · ID		May 24, 2007
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Jun 5, 2007
Rep. Boren, Dan [D-OK-2]	D · OK		Jun 5, 2007
Rep. Boyd, Allen [D-FL-2]	D · FL		Jun 5, 2007
Rep. Musgrave, Marilyn N. [R-CO-4]	R · CO		Jun 5, 2007
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Jun 5, 2007
Rep. Shuster, Bill [R-PA-9]	R · PA		Jun 5, 2007
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Jun 5, 2007
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Jun 7, 2007
Rep. Foxx, Virginia [R-NC-5]	R · NC		Jun 11, 2007
Rep. Price, Tom [R-GA-6]	R · GA		Jun 12, 2007
Rep. Barrow, John [D-GA-12]	D · GA		Jun 19, 2007
Rep. Crowley, Joseph [D-NY-7]	D · NY		Jun 19, 2007
Rep. Cohen, Steve [D-TN-9]	D · TN		Jun 20, 2007
Rep. Welch, Peter [D-VT-At Large]	D · VT		Jun 28, 2007
Rep. McCollum, Betty [D-MN-4]	D · MN		Jul 10, 2007
Rep. Murphy, Patrick J. [D-PA-8]	D · PA		Jul 10, 2007
Rep. Doggett, Lloyd [D-TX-25]	D · TX		Jul 31, 2007
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Sep 4, 2007
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Sep 14, 2007
Rep. Wilson, Charles A. [D-OH-6]	D · OH		Sep 14, 2007
Rep. Lucas, Frank D. [R-OK-3]	R · OK		Sep 19, 2007

Cosponsor	Party / State	Role	Date Joined
Rep. Rogers, Harold [R-KY-5]	R · KY		Oct 3, 2007
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Oct 12, 2007
Rep. Watt, Melvin L. [D-NC-12]	D · NC		Oct 12, 2007
Rep. Olver, John W. [D-MA-1]	D · MA		Oct 29, 2007
Rep. Walden, Greg [R-OR-2]	R · OR		Oct 29, 2007
Rep. English, Phil [R-PA-3]	R · PA		Oct 31, 2007
Rep. McNerney, Jerry [D-CA-11]	D · CA		Oct 31, 2007
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Nov 6, 2007
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Dec 11, 2007
Rep. Carnahan, Russ [D-MO-3]	D · MO		Dec 12, 2007
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Dec 19, 2007
Rep. Sestak, Joe [D-PA-7]	D · PA		Jan 15, 2008
Rep. Wittman, Robert J. [R-VA-1]	R · VA		Feb 13, 2008
Rep. Kingston, Jack [R-GA-1]	R · GA		Apr 22, 2008
Rep. Souder, Mark E. [R-IN-3]	R · IN		May 1, 2008
Rep. Donnelly, Joe [D-IN-2]	D · IN		May 13, 2008
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		May 21, 2008
Rep. Kuhl, John R. "Randy", Jr. [R-NY-29]	R · NY		May 22, 2008
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Jun 3, 2008
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Jun 9, 2008
Rep. Reynolds, Thomas M. [R-NY-26]	R · NY		Jun 10, 2008
Rep. Baird, Brian [D-WA-3]	D · WA		Jun 18, 2008
Rep. Carson, Andre [D-IN-7]	D · IN		Jul 29, 2008
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		Sep 8, 2008
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Sep 8, 2008

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported By	Sep 28, 2008

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
110 S 2161	Identical bill	Oct 15, 2007: Read twice and referred to the Committee on the Judiciary.
110 S 885	Related bill	Mar 14, 2007: Read twice and referred to the Committee on the Judiciary.

Community Pharmacy Fairness Act of 2007 - Entitles independent pharmacies negotiating contract terms with a health plan for the provision of health care items or services to the same treatment under the antitrust laws as the treatment to which bargaining units recognized under the National Labor Relations Act are entitled. Treats such a pharmacy as an employee engaged in concerted activities in connection with such negotiations.

Exempts actions taken in good faith reliance on this Act from being subject to criminal sanctions or civil penalties beyond actual damages incurred.

Provides that this Act does not exempt from application of antitrust laws any agreement or unlawful conspiracy that: (1) would have the effect of boycotting any independent pharmacy; (2) would exclude, limit the participation or reimbursement of, or otherwise limit the scope of services to be provided by any independent pharmacy or group of independent pharmacies with respect to the performance of services that are within their scope of practice as defined or permitted by relevant law or regulation; (3) allocates a market among competitors; (4) unlawfully ties the sale or purchase of one product or service to the sale or purchase of another product or service; or (5) monopolizes or attempts to monopolize a market.

Excludes from the application of this Act: (1) negotiations of any group of independent pharmacies with a health plan if the number of pharmacy licenses within such group in a PDP region (Medicare Part D prescription drug plan region) exceeds 25% of the total number of pharmacy licenses issued to all retail pharmacies in the region; and (2) negotiations between independent pharmacies and health plans pertaining to federal health benefits.

Requires the Comptroller General to study the impact of this Act after five years.

Provides that this Act does not preclude the Federal Trade Commission (FTC) or the Department of Justice (DOJ) from overseeing the conduct of independent pharmacies covered under this Act.

Actions Timeline

- **Sep 28, 2008:** Reported (Amended) by the Committee on Judiciary. H. Rept. 110-898.
- **Sep 28, 2008:** Placed on the Union Calendar, Calendar No. 579.
- **Nov 7, 2007:** Committee Consideration and Mark-up Session Held.
- **Nov 7, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Feb 8, 2007:** Introduced in House
- **Feb 8, 2007:** Referred to the House Committee on the Judiciary.