

HR 1204

Community Pharmacy Fairness Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Feb 25, 2009

Current Status: Referred to the Subcommittee on Courts and Competition Policy.

Latest Action: Referred to the Subcommittee on Courts and Competition Policy. (Jul 23, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/1204>

Sponsor

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

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

Cosponsors (99 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Aderholt, Robert B. [R-AL-4]	R · AL		Feb 25, 2009
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Feb 25, 2009
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Feb 25, 2009
Rep. Berry, Marion [D-AR-1]	D · AR		Feb 25, 2009
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Feb 25, 2009
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Feb 25, 2009
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Feb 25, 2009
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Feb 25, 2009
Rep. Coble, Howard [R-NC-6]	R · NC		Feb 25, 2009
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Feb 25, 2009
Rep. Courtney, Joe [D-CT-2]	D · CT		Feb 25, 2009
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Feb 25, 2009
Rep. Driehaus, Steve [D-OH-1]	D · OH		Feb 25, 2009
Rep. Farr, Sam [D-CA-17]	D · CA		Feb 25, 2009
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Feb 25, 2009
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Feb 25, 2009
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Feb 25, 2009
Rep. Holden, Tim [D-PA-17]	D · PA		Feb 25, 2009
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Feb 25, 2009
Rep. Loebsack, David [D-IA-2]	D · IA		Feb 25, 2009
Rep. McHugh, John M. [R-NY-23]	R · NY		Feb 25, 2009
Rep. Moore, Dennis [D-KS-3]	D · KS		Feb 25, 2009
Rep. Moran, Jerry [R-KS-1]	R · KS		Feb 25, 2009
Rep. Murphy, Patrick J. [D-PA-8]	D · PA		Feb 25, 2009
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Feb 25, 2009
Rep. Paul, Ron [R-TX-14]	R · TX		Feb 25, 2009
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Feb 25, 2009
Rep. Roe, David P. [R-TN-1]	R · TN		Feb 25, 2009
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Feb 25, 2009
Rep. Taylor, Gene [D-MS-4]	D · MS		Feb 25, 2009
Rep. Terry, Lee [R-NE-2]	R · NE		Feb 25, 2009
Rep. Welch, Peter [D-VT-At Large]	D · VT		Feb 25, 2009
Rep. Wilson, Charles A. [D-OH-6]	D · OH		Feb 25, 2009
Rep. Alexander, Rodney [R-LA-5]	R · LA		Mar 3, 2009
Rep. Chandler, Ben [D-KY-6]	D · KY		Mar 3, 2009
Rep. Gohmert, Louie [R-TX-1]	R · TX		Mar 3, 2009
Rep. Wittman, Robert J. [R-VA-1]	R · VA		Mar 3, 2009
Rep. Davis, Geoff [R-KY-4]	R · KY		Mar 4, 2009
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Mar 4, 2009
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Mar 4, 2009
Rep. McMahon, Michael E. [D-NY-13]	D · NY		Mar 5, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Kilroy, Mary Jo [D-OH-15]	D · OH		Mar 6, 2009
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Mar 9, 2009
Rep. Gordon, Bart [D-TN-6]	D · TN		Mar 10, 2009
Rep. Rogers, Harold [R-KY-5]	R · KY		Mar 11, 2009
Rep. Skelton, Ike [D-MO-4]	D · MO		Mar 11, 2009
Rep. Wamp, Zach [R-TN-3]	R · TN		Mar 11, 2009
Rep. Boucher, Rick [D-VA-9]	D · VA		Mar 16, 2009
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Mar 16, 2009
Rep. Carney, Christopher P. [D-PA-10]	D · PA		Mar 16, 2009
Rep. Ellsworth, Brad [D-IN-8]	D · IN		Mar 16, 2009
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Mar 16, 2009
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Mar 16, 2009
Rep. Bonner, Jo [R-AL-1]	R · AL		Mar 18, 2009
Rep. Cooper, Jim [D-TN-5]	D · TN		Mar 18, 2009
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Mar 18, 2009
Rep. Doggett, Lloyd [D-TX-25]	D · TX		Mar 19, 2009
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Mar 19, 2009
Rep. Israel, Steve [D-NY-2]	D · NY		Mar 23, 2009
Rep. Klein, Ron [D-FL-22]	D · FL		Mar 23, 2009
Rep. McIntyre, Mike [D-NC-7]	D · NC		Mar 23, 2009
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Mar 24, 2009
Rep. Sestak, Joe [D-PA-7]	D · PA		Mar 24, 2009
Rep. Rehberg, Denny [R-MT-At Large]	R · MT		Mar 30, 2009
Rep. Thornberry, Mac [R-TX-13]	R · TX		Mar 31, 2009
Rep. Wexler, Robert [D-FL-19]	D · FL		Apr 1, 2009
Rep. Jenkins, Lynn [R-KS-2]	R · KS		Apr 21, 2009
Rep. Herseth Sandlin, Stephanie [D-SD-At Large]	D · SD		Apr 23, 2009
Rep. Kagen, Steve [D-WI-8]	D · WI		Apr 23, 2009
Rep. Roybal-Allard, Lucille [D-CA-34]	D · CA		Apr 23, 2009
Rep. Kennedy, Patrick J. [D-RI-1]	D · RI		Apr 27, 2009
Rep. Murtha, John P. [D-PA-12]	D · PA		Apr 28, 2009
Rep. Smith, Adrian [R-NE-3]	R · NE		Apr 28, 2009
Rep. Edwards, Chet [D-TX-17]	D · TX		May 13, 2009
Rep. Etheridge, Bob [D-NC-2]	D · NC		May 13, 2009
Rep. Lucas, Frank D. [R-OK-3]	R · OK		May 13, 2009
Rep. Kissell, Larry [D-NC-8]	D · NC		May 14, 2009
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		May 14, 2009
Rep. Walden, Greg [R-OR-2]	R · OR		May 14, 2009
Rep. Bachus, Spencer [R-AL-6]	R · AL		Jun 2, 2009
Rep. Boyd, Allen [D-FL-2]	D · FL		Jun 2, 2009
Rep. Larsen, Rick [D-WA-2]	D · WA		Jun 2, 2009
Rep. Scalise, Steve [R-LA-1]	R · LA		Jun 4, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Jun 9, 2009
Rep. McCollum, Betty [D-MN-4]	D · MN		Jul 21, 2009
Rep. Bright, Bobby [D-AL-2]	D · AL		Jul 31, 2009
Rep. Schauer, Mark H. [D-MI-7]	D · MI		Sep 15, 2009
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Sep 16, 2009
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Sep 29, 2009
Rep. Griffith, Parker [D-AL-5]	D · AL		Oct 22, 2009
Rep. Slaughter, Louise McIntosh [D-NY-28]	D · NY		Oct 22, 2009
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Nov 16, 2009
Rep. Spratt, John M., Jr. [D-SC-5]	D · SC		Dec 2, 2009
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Dec 3, 2009
Rep. Young, Don [R-AK-At Large]	R · AK		Jan 12, 2010
Rep. Barrett, J. Gresham [R-SC-3]	R · SC		Jan 26, 2010
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Mar 2, 2010
Rep. McNerney, Jerry [D-CA-11]	D · CA		Apr 20, 2010
Rep. Boozman, John [R-AR-3]	R · AR		Sep 29, 2010

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jul 23, 2009

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

No related bills are listed.

Community Pharmacy Fairness Act of 2009 - 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.

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

- **Jul 23, 2009:** Referred to the Subcommittee on Courts and Competition Policy.
- **Feb 25, 2009:** Introduced in House
- **Feb 25, 2009:** Referred to the House Committee on the Judiciary.