

HR 1298

Pharmaceutical Market Access and Drug Safety Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: Mar 4, 2009

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Mar 5, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/1298>

Sponsor

Name: Rep. Berry, Marion [D-AR-1]

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

Cosponsors (37 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Mar 4, 2009
Rep. Burton, Dan [R-IN-5]	R · IN		Mar 19, 2009
Rep. Carney, Christopher P. [D-PA-10]	D · PA		Mar 19, 2009
Rep. Gordon, Bart [D-TN-6]	D · TN		Mar 19, 2009
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Mar 19, 2009
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Mar 19, 2009
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Mar 19, 2009
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Mar 19, 2009
Rep. Taylor, Gene [D-MS-4]	D · MS		Mar 19, 2009
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Mar 19, 2009
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 2, 2009
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Apr 2, 2009
Rep. Hastings, Doc [R-WA-4]	R · WA		Apr 27, 2009
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Apr 27, 2009
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Apr 27, 2009
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Apr 27, 2009
Rep. Murtha, John P. [D-PA-12]	D · PA		May 12, 2009
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Jun 18, 2009
Rep. Arcuri, Michael A. [D-NY-24]	D · NY		Jun 18, 2009
Rep. McClintock, Tom [R-CA-4]	R · CA		Jun 18, 2009
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Jul 14, 2009
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Jul 28, 2009
Rep. Harman, Jane [D-CA-36]	D · CA		Jul 28, 2009
Rep. Sutton, Betty [D-OH-13]	D · OH		Jul 28, 2009
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Oct 6, 2009
Rep. Costello, Jerry F. [D-IL-12]	D · IL		Oct 6, 2009
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Oct 6, 2009
Rep. Marshall, Jim [D-GA-8]	D · GA		Oct 6, 2009
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Oct 6, 2009
Rep. Tierney, John F. [D-MA-6]	D · MA		Oct 6, 2009
Rep. Alexander, Rodney [R-LA-5]	R · LA		Oct 20, 2009
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Oct 20, 2009
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		Oct 20, 2009
Rep. Mitchell, Harry E. [D-AZ-5]	D · AZ		Oct 20, 2009
Rep. Paul, Ron [R-TX-14]	R · TX		Oct 20, 2009
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Oct 20, 2009
Rep. Kagen, Steve [D-WI-8]	D · WI		Sep 16, 2010

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Mar 5, 2009

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
111 S 3415	Related bill	May 25, 2010: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
111 S 1808	Related bill	Oct 20, 2009: Read twice and referred to the Committee on Finance.
111 S 1232	Identical bill	Jun 11, 2009: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 73.
111 S 525	Identical bill	Mar 5, 2009: Sponsor introductory remarks on measure. (CR S2780-2781)

Summary (as of Mar 4, 2009)

Pharmaceutical Market Access and Drug Safety Act of 2009 - Amends the Federal Food, Drug, and Cosmetic Act (FFDCA) to revise provisions governing the importation of prescription drugs. Waives the limitation on importation of prescription drugs that have been exported from the United States.

Prohibits the importation of a qualifying drug unless such drug is imported by: (1) a registered importer; or (2) an individual for personal use.

Establishes registration conditions for importers and exporters. Requires the Secretary of Health and Human Services to inspect places of business, verify chains of custody, inspect facilities, and determine compliance with registration conditions.

Sets forth provisions governing the importation of qualifying drugs that are different from U.S. label drugs, including standards for judging such differences.

Prohibits manufacturers from: (1) discriminating against registered exporters or importers; (2) causing there to be a difference in a prescription drug distributed in the United States and one distributed in a permitted country; (3) engaging in actions to restrict, prohibit, or delay the importation of a qualifying drug; or (4) engaging in any action that the Federal Trade Commission (FTC) determines discriminates against a person that engages or attempts to engage in the importation of a qualifying drug.

States that the resale in the United States of prescription drugs that were properly sold abroad is not patent infringement.

Requires the Secretary to educate consumers regarding prescription drug importation.

Sets forth provisions governing the sale of prescription drugs through an Internet site. Includes the dispensing or selling of a prescription drug in violation of this Act as a prohibited act under FFDCA.

Prohibits the introduction of restricted transactions with unregistered foreign pharmacies into a payment system or the completion of such transactions using a payment system.

Actions Timeline

- **Mar 5, 2009:** Referred to the Subcommittee on Health.
- **Mar 4, 2009:** Introduced in House
- **Mar 4, 2009:** Referred to the House Committee on Energy and Commerce