

S 3415

Fair Pricing for Prescription Drugs Act

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Health

Introduced: May 25, 2010

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (May 25, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/3415>

Sponsor

Name: Sen. Feingold, Russell D. [D-WI]

Party: Democratic • **State:** WI • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	May 25, 2010

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
111 S 3413	Related bill	May 25, 2010: Read twice and referred to the Committee on Finance.
111 S 1232	Related bill	Jun 11, 2009: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 73.
111 HR 1298	Related bill	Mar 5, 2009: Referred to the Subcommittee on Health.
111 S 525	Related bill	Mar 5, 2009: Sponsor introductory remarks on measure. (CR S2780-2781)

Fair Pricing for Prescription Drugs Act - Pharmaceutical Market Access and Drug Safety Act of 2010 - 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 (HHS) 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.

Amends part D (Voluntary Prescription Drug Benefit Program) of title XVIII (Medicare) of the Social Security Act to direct the Secretary to negotiate with pharmaceutical manufacturers the prices that may be charged to Medicare part D prescription drug plan (PDP) sponsors and MedicareAdvantage (MA) organizations for covered part D drugs for part D eligible individuals who are enrolled under a PDP or an MA-Prescription Drug plan.

Actions Timeline

- **May 25, 2010:** Introduced in Senate
- **May 25, 2010:** Sponsor introductory remarks on measure. (CR S4218-4219)
- **May 25, 2010:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.