

## HR 4138

Medicare SGR Improvement and Reform Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Nov 19, 2009

**Current Status:** Referred to the Subcommittee on Health.

**Latest Action:** Referred to the Subcommittee on Health. (Dec 1, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/4138>

### Sponsor

---

**Name:** Rep. Gingrey, Phil [R-GA-11]

**Party:** Republican • **State:** GA • **Chamber:** House

**Cosponsors** (46 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Nov 19, 2009
Rep. Boozman, John [R-AR-3]	R · AR		Nov 19, 2009
Rep. Buyer, Steve [R-IN-4]	R · IN		Nov 19, 2009
Rep. Cassidy, Bill [R-LA-6]	R · LA		Nov 19, 2009
Rep. Culberson, John Abney [R-TX-7]	R · TX		Nov 19, 2009
Rep. Fleming, John [R-LA-4]	R · LA		Nov 19, 2009
Rep. Granger, Kay [R-TX-12]	R · TX		Nov 19, 2009
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Nov 19, 2009
Rep. Herger, Wally [R-CA-2]	R · CA		Nov 19, 2009
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Nov 19, 2009
Rep. Paulsen, Erik [R-MN-3]	R · MN		Nov 19, 2009
Rep. Price, Tom [R-GA-6]	R · GA		Nov 19, 2009
Rep. Roe, David P. [R-TN-1]	R · TN		Nov 19, 2009
Rep. Rooney, Thomas J. [R-FL-16]	R · FL		Nov 19, 2009
Rep. Roskam, Peter J. [R-IL-6]	R · IL		Nov 19, 2009
Rep. Sessions, Pete [R-TX-32]	R · TX		Nov 19, 2009
Rep. Shimkus, John [R-IL-19]	R · IL		Nov 19, 2009
Rep. Whitfield, Ed [R-KY-1]	R · KY		Nov 19, 2009
Rep. Camp, Dave [R-MI-4]	R · MI		Dec 1, 2009
Rep. Radanovich, George [R-CA-19]	R · CA		Dec 1, 2009
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Dec 7, 2009
Rep. Akin, W. Todd [R-MO-2]	R · MO		Dec 9, 2009
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Dec 9, 2009
Rep. Bilbray, Brian P. [R-CA-50]	R · CA		Dec 9, 2009
Rep. Bishop, Rob [R-UT-1]	R · UT		Dec 9, 2009
Rep. Burton, Dan [R-IN-5]	R · IN		Dec 9, 2009
Rep. Cole, Tom [R-OK-4]	R · OK		Dec 9, 2009
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Dec 9, 2009
Rep. Fallin, Mary [R-OK-5]	R · OK		Dec 9, 2009
Rep. Gohmert, Louie [R-TX-1]	R · TX		Dec 9, 2009
Rep. Jordan, Jim [R-OH-4]	R · OH		Dec 9, 2009
Rep. King, Steve [R-IA-5]	R · IA		Dec 9, 2009
Rep. Lamborn, Doug [R-CO-5]	R · CO		Dec 9, 2009
Rep. Marchant, Kenny [R-TX-24]	R · TX		Dec 9, 2009
Rep. Olson, Pete [R-TX-22]	R · TX		Dec 9, 2009
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Dec 9, 2009
Rep. Posey, Bill [R-FL-15]	R · FL		Dec 9, 2009
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		Dec 9, 2009
Rep. Thompson, Glenn [R-PA-5]	R · PA		Dec 9, 2009
Rep. Franks, Trent [R-AZ-2]	R · AZ		Dec 10, 2009
Rep. Miller, Jeff [R-FL-1]	R · FL		Dec 10, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Dec 15, 2009
Rep. Lee, Christopher J. [R-NY-26]	R · NY		Dec 16, 2009
Rep. Schock, Aaron [R-IL-18]	R · IL		Dec 16, 2009
Rep. Souder, Mark E. [R-IN-3]	R · IN		Jan 19, 2010
Rep. Young, Don [R-AK-At Large]	R · AK		Jan 21, 2010

## Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Dec 1, 2009
Judiciary Committee	House	Referred To	Nov 19, 2009
Ways and Means Committee	House	Referred To	Nov 19, 2009

## Subjects & Policy Tags

### Policy Area:

Health

## Related Bills

No related bills are listed.

## Summary (as of Nov 19, 2009)

Medicare SGR Improvement and Reform Act of 2009 - Amends title XVIII (Medicare) of the Social Security Act to provide an increased annual update for the Sustainable Growth Mechanism (SGR) formula for determining rates in the fee schedule for Medicare physician payments.

Sets a three-year time limit for the commencement of a health care lawsuit.

Prescribes requirements for: (1) unlimited damages for a claimant's actual economic losses in health care lawsuits; (2) court supervision of arrangements for payment of such damages, including limitation of contingent attorney fees; (3) restrictions on punitive damages; and (4) payment of future damages to claimants in health care suits.

Terminates funding of the Medicare Improvement Fund as of January 1, 2010.

Amends the Public Health Service Act to prescribe requirements for the licensure of biological products as biosimilar or interchangeable.

Includes under the Federal Food, Drug, and Cosmetic Act fees relating to the licensure of a biological product.

Amends patent law with respect to biosimilar products.

Directs the Secretary of Health and Human Services (HHS) to adopt a single set of consensus-based operating rules for each health information transaction.

## **Actions Timeline**

---

- **Dec 1, 2009:** Referred to the Subcommittee on Health.
- **Nov 19, 2009:** Introduced in House
- **Nov 19, 2009:** Referred to House Energy and Commerce
- **Nov 19, 2009:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and 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.
- **Nov 19, 2009:** Referred to House Ways and Means
- **Nov 19, 2009:** Referred to House Judiciary