

HR 4199

PHARMACY Bill

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: Dec 3, 2009

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Dec 7, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/4199>

Sponsor

Name: Rep. Butterfield, G. K. [D-NC-1]

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

Cosponsors (36 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Alexander, Rodney [R-LA-5]	R · LA		Dec 3, 2009
Rep. Coble, Howard [R-NC-6]	R · NC		Dec 3, 2009
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Dec 3, 2009
Rep. Kissell, Larry [D-NC-8]	D · NC		Dec 3, 2009
Rep. McIntyre, Mike [D-NC-7]	D · NC		Dec 3, 2009
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Dec 3, 2009
Rep. Miller, Brad [D-NC-13]	D · NC		Dec 3, 2009
Rep. Boyd, Allen [D-FL-2]	D · FL		Dec 11, 2009
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Dec 11, 2009
Rep. Holden, Tim [D-PA-17]	D · PA		Dec 11, 2009
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Dec 15, 2009
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Dec 15, 2009
Rep. Etheridge, Bob [D-NC-2]	D · NC		Dec 16, 2009
Rep. Hare, Phil [D-IL-17]	D · IL		Dec 16, 2009
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Dec 16, 2009
Rep. Price, David E. [D-NC-4]	D · NC		Jan 13, 2010
Rep. Schauer, Mark H. [D-MI-7]	D · MI		Jan 13, 2010
Rep. Welch, Peter [D-VT-At Large]	D · VT		Jan 13, 2010
Rep. Ellsworth, Brad [D-IN-8]	D · IN		Jan 20, 2010
Rep. Perriello, Thomas S.P. [D-VA-5]	D · VA		Jan 20, 2010
Rep. Taylor, Gene [D-MS-4]	D · MS		Jan 20, 2010
Rep. Hodes, Paul W. [D-NH-2]	D · NH		Jan 26, 2010
Rep. Griffith, Parker [R-AL-5]	R · AL		Feb 3, 2010
Rep. Rehberg, Denny [R-MT-At Large]	R · MT		Feb 3, 2010
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		Feb 3, 2010
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Feb 23, 2010
Rep. Childers, Travis [D-MS-1]	D · MS		Feb 26, 2010
Rep. Courtney, Joe [D-CT-2]	D · CT		Apr 14, 2010
Rep. Boswell, Leonard L. [D-IA-3]	D · IA		May 12, 2010
Rep. Richardson, Laura [D-CA-37]	D · CA		May 12, 2010
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		May 20, 2010
Rep. Larsen, Rick [D-WA-2]	D · WA		Jul 20, 2010
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Jul 29, 2010
Rep. Berry, Marion [D-AR-1]	D · AR		Sep 14, 2010
Rep. Ross, Mike [D-AR-4]	D · AR		Sep 22, 2010
Rep. Herseth Sandlin, Stephanie [D-SD-At Large]	D · SD		Nov 18, 2010

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Dec 7, 2009
Ways and Means Committee	House	Referred To	Dec 3, 2009

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Dec 3, 2009)

Patient Health and Real Medication Access Cost Savings Act of 2009 or the PHARMACY Bill - Declares that a consumer shall have the right to choose to purchase prescription drugs from any domestic pharmacy that meets all applicable federal and state license and permit requirements.

Directs the Secretary of Health and Human Services (HHS) to issue regulations that: (1) prohibit a pharmacy benefit manager (PBM) from providing incentives to, encouraging, or requiring pharmacy benefit plan enrollees to use certain pharmacies or from excluding an eligible pharmacy from a plan's pharmacy network; (2) require a PBM to ensure that pharmacy benefit plan enrollees pay a specified copayment for brand name drugs; (3) require a PBM to reimburse a pharmacy in the network of a pharmacy benefit plan that is federally funded, at specified rates, for brand-name drugs, generic drugs, and additional professional services; (4) require a PBM to be reimbursed by a pharmacy benefit plan sponsor for adjudicating and processing claims; (5) limit the amount that a PBM charges a pharmacy benefit plan sponsor for a drug that is dispensed to enrollees to the amount the PBM paid the pharmacy for such drug; (6) require a manufacturer of prescription drugs to pay all rebates directly to the pharmacy benefit plan sponsor and not to a PBM; and (7) require a pharmacy benefit plan sponsor to provide a list of the wholesale acquisition costs of the top 500 most frequently prescribed drugs to physicians in a plan any insurance-related charge of which is underwritten by a federal, state, or local government.

Amends title XVIII (Medicare) of the Social Security Act to include pharmacist services as "medical and other health services" under Medicare.

Directs the Secretary, by January 1, 2011, to establish a pharmaceutical access program to provide affordable prescription drugs to individuals who receive drug benefits under federal programs (except Medicaid). Requires: (1) a pharmacy that dispenses prescription drugs in the United States to remit to the Secretary 50 cents for each brand name prescription and \$1.00 for generic drug prescription dispensed; and (2) the sponsor of a pharmacy benefit plan that is not federally funded to increase the professional dispensing fee paid to pharmacies by the same amounts. Requires the use of funds generated from such fees to provide affordable access to prescription drugs to low-income individuals who have enrolled in the program.

Actions Timeline

- **Dec 7, 2009:** Referred to the Subcommittee on Health.
- **Dec 3, 2009:** Introduced in House
- **Dec 3, 2009:** Sponsor introductory remarks on measure. (CR E2890-2891)
- **Dec 3, 2009:** Referred to House Energy and Commerce
- **Dec 3, 2009:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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.
- **Dec 3, 2009:** Referred to House Ways and Means