

## HR 444

340B Program Improvement and Integrity Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Jan 9, 2009

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

**Latest Action:** Referred to the Subcommittee on Health. (Jan 14, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/444>

### Sponsor

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**Name:** Rep. Rush, Bobby L. [D-IL-1]

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

**Cosponsors** (102 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Jan 9, 2009
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Rep. Cohen, Steve [D-TN-9]	D · TN		Jan 13, 2009
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Jan 13, 2009
Rep. Lewis, John [D-GA-5]	D · GA		Jan 13, 2009
Rep. Paul, Ron [R-TX-14]	R · TX		Jan 13, 2009
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Jan 15, 2009
Rep. Filner, Bob [D-CA-51]	D · CA		Jan 15, 2009
Rep. Boswell, Leonard L. [D-IA-3]	D · IA		Jan 28, 2009
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Rep. Brown, Corrine [D-FL-3]	D · FL		Jan 28, 2009
Rep. Castor, Kathy [D-FL-11]	D · FL		Jan 28, 2009
Rep. Giffords, Gabrielle [D-AZ-8]	D · AZ		Jan 28, 2009
Rep. Green, Gene [D-TX-29]	D · TX		Jan 28, 2009
Rep. Higgins, Brian [D-NY-27]	D · NY		Jan 28, 2009
Rep. McCollum, Betty [D-MN-4]	D · MN		Jan 28, 2009
Rep. McHugh, John M. [R-NY-23]	R · NY		Jan 28, 2009
Rep. Moran, Jerry [R-KS-1]	R · KS		Jan 28, 2009
Rep. Napolitano, Grace F. [D-CA-38]	D · CA		Jan 28, 2009
Rep. Sutton, Betty [D-OH-13]	D · OH		Jan 28, 2009
Rep. Terry, Lee [R-NE-2]	R · NE		Jan 28, 2009
Rep. Abercrombie, Neil [D-HI-1]	D · HI		Feb 4, 2009
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Feb 4, 2009
Rep. Moore, Dennis [D-KS-3]	D · KS		Feb 4, 2009
Rep. Murtha, John P. [D-PA-12]	D · PA		Feb 4, 2009
Rep. Ross, Mike [D-AR-4]	D · AR		Feb 4, 2009
Rep. Welch, Peter [D-VT-At Large]	D · VT		Feb 4, 2009
Rep. Wexler, Robert [D-FL-19]	D · FL		Feb 4, 2009
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Feb 23, 2009
Rep. McGovern, James P. [D-MA-3]	D · MA		Feb 23, 2009
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Feb 23, 2009
Rep. Miller, Brad [D-NC-13]	D · NC		Feb 23, 2009
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Feb 23, 2009
Rep. Ryan, Tim [D-OH-17]	D · OH		Feb 23, 2009
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Feb 23, 2009
Rep. Berkley, Shelley [D-NV-1]	D · NV		Mar 4, 2009
Rep. Chandler, Ben [D-KY-6]	D · KY		Mar 4, 2009
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Mar 4, 2009
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Mar 4, 2009
Rep. Slaughter, Louise McIntosh [D-NY-28]	D · NY		Mar 4, 2009
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		Mar 9, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		Mar 9, 2009
Rep. Doggett, Lloyd [D-TX-25]	D · TX		Mar 9, 2009
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Mar 10, 2009
Rep. Guthrie, Brett [R-KY-2]	R · KY		Mar 19, 2009
Rep. Israel, Steve [D-NY-2]	D · NY		Mar 19, 2009
Rep. Young, C. W. Bill [R-FL-10]	R · FL		Mar 19, 2009
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Mar 25, 2009
Rep. Kissell, Larry [D-NC-8]	D · NC		Mar 30, 2009
Rep. Lee, Barbara [D-CA-9]	D · CA		Mar 30, 2009
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Mar 30, 2009
Rep. Gordon, Bart [D-TN-6]	D · TN		Mar 31, 2009
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Apr 2, 2009
Rep. Brady, Robert A. [D-PA-1]	D · PA		Apr 2, 2009
Rep. Herseth Sandlin, Stephanie [D-SD-At Large]	D · SD		Apr 2, 2009
Rep. Carney, Christopher P. [D-PA-10]	D · PA		Apr 21, 2009
Rep. Davis, Danny K. [D-IL-7]	D · IL		Apr 21, 2009
Rep. Alexander, Rodney [R-LA-5]	R · LA		Apr 23, 2009
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Apr 23, 2009
Rep. King, Peter T. [R-NY-3]	R · NY		Apr 23, 2009
Rep. Wamp, Zach [R-TN-3]	R · TN		Apr 23, 2009
Rep. Capps, Lois [D-CA-23]	D · CA		May 4, 2009
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		May 4, 2009
Rep. Davis, Artur [D-AL-7]	D · AL		May 4, 2009
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		May 4, 2009
Rep. Hodes, Paul W. [D-NH-2]	D · NH		May 4, 2009
Rep. Peterson, Collin C. [D-MN-7]	D · MN		May 4, 2009
Rep. Shea-Porter, Carol [D-NH-1]	D · NH		May 4, 2009
Rep. Hall, John J. [D-NY-19]	D · NY		May 19, 2009
Rep. McIntyre, Mike [D-NC-7]	D · NC		May 19, 2009
Rep. Teague, Harry [D-NM-2]	D · NM		May 19, 2009
Rep. Carnahan, Russ [D-MO-3]	D · MO		May 21, 2009
Rep. Culberson, John Abney [R-TX-7]	R · TX		May 21, 2009
Rep. Skelton, Ike [D-MO-4]	D · MO		May 21, 2009
Rep. Boozman, John [R-AR-3]	R · AR		Jun 11, 2009
Rep. Farr, Sam [D-CA-17]	D · CA		Jun 11, 2009
Rep. Arcuri, Michael A. [D-NY-24]	D · NY		Jun 18, 2009
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Jun 18, 2009
Rep. Kagen, Steve [D-WI-8]	D · WI		Jun 18, 2009
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jun 18, 2009
Rep. Yarmuth, John A. [D-KY-3]	D · KY		Jun 18, 2009
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Jul 8, 2009
Rep. Courtney, Joe [D-CT-2]	D · CT		Jul 8, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Jul 8, 2009
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Jul 16, 2009
Rep. Hirono, Mazie K. [D-HI-2]	D · HI		Jul 16, 2009
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jul 16, 2009
Rep. Salazar, John T. [D-CO-3]	D · CO		Jul 16, 2009
Rep. Boren, Dan [D-OK-2]	D · OK		Jul 30, 2009
Rep. Burton, Dan [R-IN-5]	R · IN		Jul 30, 2009
Rep. Dahlkemper, Kathleen A. [D-PA-3]	D · PA		Jul 30, 2009
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Jul 30, 2009
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Sep 17, 2009
Rep. Shuler, Heath [D-NC-11]	D · NC		Oct 21, 2009
Rep. Heinrich, Martin [D-NM-1]	D · NM		Dec 1, 2009
Rep. Richardson, Laura [D-CA-37]	D · CA		Dec 1, 2009
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Feb 22, 2010
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		Feb 22, 2010
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Feb 23, 2010
Rep. Owens, William L. [D-NY-23]	D · NY		Mar 12, 2010
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Apr 13, 2010
Rep. Olver, John W. [D-MA-1]	D · MA		Apr 26, 2010

### Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jan 14, 2009

### Subjects & Policy Tags

#### Policy Area:

Health

### Related Bills

Bill	Relationship	Last Action
111 S 1239	Related bill	<b>Jun 11, 2009:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S6546-6548)

340B Program Improvement and Integrity Act of 2009 - Amends the Public Health Service Act to expand the drug discount program to allow participation as a covered entity by certain: (1) children's hospitals; (2) critical access hospitals; (3) entities providing maternal and child health services, community mental health services, or treatment services for substance abuse; (4) Medicare-dependent, small rural hospitals; (5) sole community hospitals; and (6) rural referral centers. Prohibits enrolled hospitals from obtaining covered outpatient drugs through a group purchasing arrangement. Requires the Secretary of Health and Human Services to establish reasonable exceptions to such requirements, including for drugs unavailable through the program and to facilitate generic substitution when a generic covered drug is available at a lower price.

Expands the program to include a drug used in connection with an inpatient or outpatient service by enrolled hospitals. (Currently, only outpatient drugs are covered under the program.)

Requires hospitals enrolled in the 340B drug discount program to provide to each state a credit on the estimated annual costs to such hospital of single source and innovator multiple source drugs and noninnovator multiple source drugs provided to Medicaid recipients for inpatient use. Sets forth a formula for calculating the credit. Allows a hospital to avoid paying such credits under certain circumstances.

Requires the Secretary to: (1) carry out activities to improve compliance by manufacturers and covered entities with the requirements of the drug discount program; and (2) establish an administrative process for resolving claims by covered entities and manufacturers of violations of such requirements.

Requires manufacturers to offer each covered entity covered drugs for purchase at or below the applicable ceiling price if such a drug is made available to any other purchaser at any price.

### **Actions Timeline**

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- **Jan 14, 2009:** Referred to the Subcommittee on Health.
- **Jan 9, 2009:** Introduced in House
- **Jan 9, 2009:** Referred to the House Committee on Energy and Commerce.