

S 1138

Prize Fund for HIV/AIDS Act

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Health

Introduced: May 26, 2011

Current Status: Committee on Health, Education, Labor, and Pensions Subcommittee on Primary Health and Aging. Hearin

Latest Action: Committee on Health, Education, Labor, and Pensions Subcommittee on Primary Health and Aging. Hearings held. With printed Hearing: S.Hrg. 112-570. (May 15, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1138>

Sponsor

Name: Sen. Sanders, Bernard [I-VT]

Party: Independent • **State:** VT • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Hearings By (subcommittee)	May 15, 2012

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Prize Fund for HIV/AIDS Act - Denies any person the exclusive right to manufacture, distribute, sell, or use in interstate commerce a qualifying treatment for HIV/AIDS, or to a manufacturing process for such a treatment, including the exclusive right to rely on health registration data or the 30-month stay-of-effectiveness period for Orange Book patents. Prescribes remuneration, in the form of prize payments from a Prize Fund for HIV/AIDS, in lieu of such market exclusivity.

Exempts from this elimination of exclusive rights any dual use product that is a qualifying treatment for HIV/AIDS which also has a significant use for other diseases, but only with respect to its use for other diseases. Applies the elimination of exclusive rights with respect to a qualifying HIV/AIDS treatment even in a dual use product.

Establishes the Prize Fund for HIV/AIDS. Requires the Secretary of Health and Human Services (HHS) to designate a Prize Fund Director to administer the Fund.

Directs the Prize Fund Director to award prize payments for medical innovation relating to a qualifying treatment for HIV/AIDS, or a new manufacturing process for such a treatment, to: (1) the first person to receive market clearance with respect to the drug or biological product; (2) the holder of the patent with respect to a manufacturing process; or (3) persons or communities that as an open source contribution openly shared knowledge, data, materials, and technology on a royalty-free and nondiscriminatory basis.

Allows the Prize Fund Director to authorize multiple nonprofit intermediaries to manage Fund payments to reward projects for: (1) interim research and development of new qualifying treatments for HIV/AIDS, or (2) open source dividend prizes.

Establishes an annual fee for health insurers to fund this Act.

Establishes the Donor Innovation Prize Fund to enable the Secretary to reward owners and developers of products that permit open competition for low-cost generic drugs for the treatment of HIV/AIDS in developing countries.

Actions Timeline

- **May 15, 2012:** Committee on Health, Education, Labor, and Pensions Subcommittee on Primary Health and Aging. Hearings held. With printed Hearing: S.Hrg. 112-570.
- **May 26, 2011:** Introduced in Senate
- **May 26, 2011:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.