

## HR 1971

Pharmacy Competition and Consumer Choice Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** May 24, 2011

**Current Status:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

**Latest Action:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions. (Sep 8, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/1971>

### Sponsor

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**Name:** Rep. McMorris Rodgers, Cathy [R-WA-5]

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

## Cosponsors (34 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		May 24, 2011
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Sep 8, 2011
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Sep 8, 2011
Rep. Ross, Mike [D-AR-4]	D · AR		Sep 14, 2011
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Sep 20, 2011
Rep. Welch, Peter [D-VT-At Large]	D · VT		Sep 20, 2011
Rep. Courtney, Joe [D-CT-2]	D · CT		Sep 23, 2011
Rep. Terry, Lee [R-NE-2]	R · NE		Oct 14, 2011
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		Oct 24, 2011
Rep. Jackson, Jesse L., Jr. [D-IL-2]	D · IL		Oct 24, 2011
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Nov 2, 2011
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Nov 3, 2011
Rep. Marino, Tom [R-PA-10]	R · PA		Nov 3, 2011
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Nov 3, 2011
Rep. Scott, Austin [R-GA-8]	R · GA		Nov 17, 2011
Rep. Towns, Edolphus [D-NY-10]	D · NY		Dec 16, 2011
Rep. Fitzpatrick, Michael G. [R-PA-8]	R · PA		Jan 23, 2012
Rep. Critz, Mark S. [D-PA-12]	D · PA		Jan 31, 2012
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Feb 28, 2012
Rep. Castor, Kathy [D-FL-11]	D · FL		Feb 28, 2012
Rep. Kissell, Larry [D-NC-8]	D · NC		Mar 6, 2012
Rep. Doggett, Lloyd [D-TX-25]	D · TX		Mar 26, 2012
Rep. Herrera Beutler, Jaime [R-WA-3]	R · WA		Apr 18, 2012
Rep. Young, Todd [R-IN-9]	R · IN		Apr 18, 2012
Rep. Gingrey, Phil [R-GA-11]	R · GA		May 15, 2012
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		May 17, 2012
Rep. Bishop, Timothy H. [D-NY-1]	D · NY		May 30, 2012
Rep. Boren, Dan [D-OK-2]	D · OK		May 30, 2012
Rep. Scott, David [D-GA-13]	D · GA		Jun 7, 2012
Rep. Loebsack, David [D-IA-2]	D · IA		Jun 29, 2012
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Jul 23, 2012
Rep. Barletta, Lou [R-PA-11]	R · PA		Aug 2, 2012
Rep. Boswell, Leonard L. [D-IA-3]	D · IA		Aug 2, 2012
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Oct 19, 2012

## Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Sep 8, 2011
Energy and Commerce Committee	House	Referred to	Jun 3, 2011
Ways and Means Committee	House	Referred to	Jun 6, 2011

## Subjects & Policy Tags

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### Policy Area:

Health

### Related Bills

Bill	Relationship	Last Action
112 S 1058	Identical bill	May 24, 2011: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

### Summary (as of May 24, 2011)

Pharmacy Competition and Consumer Choice Act of 2011 - Amends the Public Health Service Act, the Employee Retirement Income Security Act of 1974 (ERISA), the Internal Revenue Code, and part D (Voluntary Prescription Drug Benefit Program) of title XVIII (Medicare) of the Social Security Act to prohibit a group or individual health plan from entering into a contract with any pharmacy benefits manager (PBM) to manage the prescription drug coverage provided under such plan or to control the costs of such coverage unless the PBM satisfies the requirements of this Act.

Directs a PBM to provide at least annually a report to each plan sponsor that includes information on the number and total costs of prescriptions under the contract, payments to pharmacies, payments from pharmaceutical manufacturers, and generic drugs and brand name drugs dispensed.

Sets forth provisions governing the interaction between a PBM and pharmacies that contract with the PBM, including requiring a PBM to: (1) include in contracts drug pricing information and agree to provide timely updates on pricing, (2) agree to pay pharmacies promptly for clean claims, (3) not exclude qualifying pharmacies willing to accept terms and conditions of the PBM, and (4) require each pharmacy to sign a contract before assuming responsibility to fill prescriptions for the PBM.

Prohibits a PBM from mandating or providing incentives to beneficiaries for use of a pharmacy in which the PBM has an ownership interest.

Sets forth limits on audits of pharmacy providers by a PBM, including with respect to record keeping, appeals, and recoupment.

Establishes limits and notice requirements related to PBMs selling claims or utilization data.

### Actions Timeline

- **Sep 8, 2011:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
- **Jun 6, 2011:** Referred to the Subcommittee on Health.
- **Jun 3, 2011:** Referred to the Subcommittee on Health.
- **May 24, 2011:** Introduced in House
- **May 24, 2011:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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.