

## HR 1188

### Preserving Our Hometown Independent Pharmacies Act of 2013

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Mar 14, 2013

**Current Status:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.

**Latest Action:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law. (Apr 15, 2013)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/1188>

### Sponsor

**Name:** Rep. Marino, Tom [R-PA-10]

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

### Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Chu, Judy [D-CA-27]	D · CA		Mar 14, 2013
Rep. Collins, Doug [R-GA-9]	R · GA		Mar 15, 2013
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Apr 9, 2013
Rep. Roby, Martha [R-AL-2]	R · AL		Apr 9, 2013
Rep. Coble, Howard [R-NC-6]	R · NC		May 22, 2013
Rep. Michaud, Michael H. [D-ME-2]	D · ME		May 22, 2013
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Jun 25, 2013
Rep. Barletta, Lou [R-PA-11]	R · PA		Jul 16, 2013
Rep. Yoho, Ted S. [R-FL-3]	R · FL		Jul 16, 2013
Rep. Smith, Jason [R-MO-8]	R · MO		Feb 10, 2014
Rep. Ellmers, Renee L. [R-NC-2]	R · NC		Apr 4, 2014
Rep. Larsen, Rick [D-WA-2]	D · WA		May 19, 2014

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Apr 15, 2013

### Subjects & Policy Tags

#### Policy Area:

Health

### Related Bills

*No related bills are listed.*

Preserving Our Hometown Independent Pharmacies Act of 2013 - Treats independent pharmacies negotiating contract terms with a health plan for the provision of health care items or services, but only in connection with such negotiations, the same under the antitrust laws as an employee engaged in concerted activities, and not as an employer, independent contractor, managerial employee, or supervisor.

Exempts actions taken in good faith reliance on this Act from being subject to criminal sanctions or civil penalties beyond actual damages incurred.

Declares that this Act does not exempt from application of antitrust laws any agreement or unlawful conspiracy that: (1) would have the effect of boycotting any independent pharmacy; (2) would exclude, limit the participation or reimbursement of, or otherwise limit the scope of services to be provided by any independent pharmacy or group of independent pharmacies with respect to the performance of services within their scope of practice as defined or permitted by relevant law or regulation; (3) allocates a market among competitors; (4) unlawfully ties the sale or purchase of one product or service to the sale or purchase of another product or service; or (5) monopolizes or attempts to monopolize a market.

Makes this Act inapplicable to negotiations between pharmacies and health plans regarding benefits provided under specified federal programs, including Medicaid, veterans' medical care, and the federal employees' health benefits program.

Requires the Comptroller General to study the impact of this Act after five years.

States that this Act does not preclude the Federal Trade Commission (FTC) or the Department of Justice (DOJ) from overseeing the conduct of independent pharmacies covered under this Act.

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### **Actions Timeline**

- **Apr 15, 2013:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Mar 14, 2013:** Introduced in House
- **Mar 14, 2013:** Referred to the House Committee on the Judiciary.