

HR 5815

Generic Drug Pricing Fairness Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Health

Introduced: Dec 9, 2014

Current Status: Referred to the Subcommittee on Energy and Power.

Latest Action: Referred to the Subcommittee on Energy and Power. (Dec 12, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/5815>

Sponsor

Name: Rep. Collins, Doug [R-GA-9]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Loebsack, David [D-IA-2]	D · IA		Dec 9, 2014

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred To	Dec 9, 2014
Energy and Commerce Committee	House	Referred to	Dec 12, 2014
Oversight and Government Reform Committee	House	Referred To	Dec 9, 2014
Ways and Means Committee	House	Referred To	Dec 9, 2014

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
113 HR 4437	Related bill	Apr 11, 2014: Referred to the Subcommittee on Health.

Generic Drug Pricing Fairness Act - Amends part D (Voluntary Prescription Drug Benefit Program) of title XVIII (Medicare) of the Social Security Act to require each contract entered into with a prescription drug plan (PDP) sponsor with respect to a PDP the sponsor offers to prohibit the PDP 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 the prescription drug coverage under it, unless the PBM adheres to specified criteria when handling personally identifiable utilization and claims data or other sensitive patient data.

Revises requirements for contracts with PDP sponsors to require that the PDP sponsor disclose to applicable pharmacies the sources used for making any update of the prescription drug pricing standard, and if the source for such a standard is not publicly available, disclose to such pharmacies all individual drug prices to be so updated in advance of their use for the reimbursement of claims.

Requires the PDP sponsor, as well, to establish a process to appeal, investigate, and resolve disputes regarding individual drug prices that are less than the pharmacy acquisition price for a drug.

Directs the Secretary of Defense (DOD), with respect to the TRICARE retail pharmacy program, to ensure that a contract entered into with a TRICARE managed care support contractor includes requirements to ensure the provision of information regarding the pricing standard for prescription drugs.

Establishes criteria to which a carrier and a PBM must adhere under a contract or an approved plan under which the carrier has an agreement with the PBM to manage prescription drug coverage or to control the costs of such coverage.

Prohibits a PBM under such criteria from: (1) transmitting to a pharmacy owned by the PBM any personally identifiable utilization or claims data relating to an enrolled individual who has not voluntarily elected in writing or via secure electronic means to fill that particular prescription at such a pharmacy; or (2) requiring any enrolled individual to use a retail pharmacy, mail order pharmacy, specialty pharmacy, or other pharmacy entity in which the PBM has an ownership interest, or that has an ownership interest in the PBM, or give an incentive to encourage an enrollee to use the pharmacy if the incentive applies only to those pharmacies.

Requires any contract or approved plan providing for a reimbursement standard with respect to a PDP to require the carrier to: (1) update the standard at least once every seven days to reflect the market price of a drug accurately; (2) disclose to pharmacies the sources used for making any such update; (3) make advance disclosure to those pharmacies of all individual drug prices to be updated if the source for a standard is not publicly available; and (4) establish a process to appeal, investigate, and resolve disputes regarding individual drug prices less than the pharmacy acquisition price.

Actions Timeline

- **Dec 12, 2014:** Referred to the Subcommittee on Energy and Power.
- **Dec 9, 2014:** Introduced in House
- **Dec 9, 2014:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Armed Services, and Oversight and Government Reform, 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.