

HR 3513

Prescription Drug Affordability Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Health

Introduced: Sep 16, 2015

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Sep 18, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/3513>

Sponsor

Name: Rep. Cummings, Elijah E. [D-MD-7]

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

Cosponsors (18 total)

| Cosponsor | Party / State | Role | Date Joined |
|---|---------------|------|--------------|
| Del. Norton, Eleanor Holmes [D-DC-At Large] | D · DC | | Sep 16, 2015 |
| Rep. Ellison, Keith [D-MN-5] | D · MN | | Sep 16, 2015 |
| Rep. Sarbanes, John P. [D-MD-3] | D · MD | | Sep 16, 2015 |
| Rep. Schakowsky, Janice D. [D-IL-9] | D · IL | | Sep 28, 2015 |
| Rep. Cartwright, Matt [D-PA-17] | D · PA | | Oct 8, 2015 |
| Rep. Garamendi, John [D-CA-3] | D · CA | | Nov 17, 2015 |
| Rep. Jeffries, Hakeem S. [D-NY-8] | D · NY | | Nov 17, 2015 |
| Rep. Kaptur, Marcy [D-OH-9] | D · OH | | Nov 17, 2015 |
| Rep. Slaughter, Louise McIntosh [D-NY-25] | D · NY | | Nov 17, 2015 |
| Rep. Cohen, Steve [D-TN-9] | D · TN | | Dec 11, 2015 |
| Rep. DeSaulnier, Mark [D-CA-11] | D · CA | | Dec 11, 2015 |
| Rep. Huffman, Jared [D-CA-2] | D · CA | | Jan 13, 2016 |
| Rep. Titus, Dina [D-NV-1] | D · NV | | Jan 13, 2016 |
| Rep. Blumenauer, Earl [D-OR-3] | D · OR | | Feb 4, 2016 |
| Rep. Honda, Michael M. [D-CA-17] | D · CA | | Feb 4, 2016 |
| Rep. Bonamici, Suzanne [D-OR-1] | D · OR | | Apr 29, 2016 |
| Rep. Lowey, Nita M. [D-NY-17] | D · NY | | Sep 26, 2016 |
| Rep. Lujan Grisham, Michelle [D-NM-1] | D · NM | | Nov 14, 2016 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------|---------|-------------|--------------|
| Energy and Commerce Committee | House | Referred to | Sep 18, 2015 |
| Judiciary Committee | House | Referred To | Sep 16, 2015 |
| Ways and Means Committee | House | Referred to | Sep 18, 2015 |

Subjects & Policy Tags

Policy Area:

Health

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|--|
| 114 S 2023 | Identical bill | Sep 10, 2015: Read twice and referred to the Committee on Finance. |
| 114 HR 3061 | Related bill | Jul 20, 2015: Referred to the Subcommittee on Health. |
| 114 HR 2391 | Related bill | May 22, 2015: Referred to the Subcommittee on Health. |
| 114 S 1364 | Related bill | May 18, 2015: Read twice and referred to the Committee on Finance. |
| 114 HR 2005 | Related bill | May 13, 2015: Referred to the Subcommittee on Health. |
| 114 S 1083 | Related bill | Apr 23, 2015: Read twice and referred to the Committee on Finance. |
| 114 S 31 | Related bill | Jan 6, 2015: Read twice and referred to the Committee on Finance. |

Summary (as of Sep 16, 2015)

Prescription Drug Affordability Act of 2015

This bill amends titles XVIII (Medicare) and XIX (Medicaid) of the Social Security Act to modify provisions related to the affordability of prescription drugs under the Medicare and Medicaid programs. Specifically, the bill:

- requires the Centers for Medicare & Medicaid to negotiate lower prices on behalf of beneficiaries for drugs covered under Medicare Part D;
- accelerates closure of the Medicare Part D coverage gap known as the "donut hole," under which beneficiaries who have reached a certain level of yearly drug costs become fully responsible for any additional drug costs up to a certain limit;
- requires drug manufacturers to issue rebates for prescription drugs dispensed to eligible low-income individuals under Medicare or Medicaid; and
- expands the application of certain prescription drug rebate requirements under Medicaid to include rebates for generic drugs.

The bill also amends the Federal Food, Drug, and Cosmetic Act to: (1) allow the importation by individuals of prescription drugs from Canada and, potentially, other countries; and (2) establish certain conditions on the award of market exclusivity with respect to drugs. Specifically, a drug manufacturer's market exclusivity shall be terminated if the manufacturer commits, or fails to report, a drug-related violation such as misbranding, illegal marketing, or fraud.

In addition, the bill amends the Federal Trade Commission Act to: (1) establish restrictions on certain anticompetitive patent settlements known as "pay-for-delay" agreements, which effectively block generic drug competition; and (2) allow the Federal Trade Commission to initiate proceedings to enforce these restrictions against any parties to such a settlement.

The bill also requires drug manufacturers to produce and share annual reports containing specified information related to domestic and foreign sales.

Actions Timeline

- **Sep 18, 2015:** Referred to the Subcommittee on Health.
- **Sep 16, 2015:** Introduced in House
- **Sep 16, 2015:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, 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.