

S 204

Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Jan 24, 2017

Current Status: Became Public Law No: 115-176.

Latest Action: Became Public Law No: 115-176. (May 30, 2018)

Law: 115-176 (Enacted May 30, 2018)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/204>

Sponsor

Name: Sen. Johnson, Ron [R-WI]

Party: Republican • **State:** WI • **Chamber:** Senate

Cosponsors (46 total)

| Cosponsor | Party / State | Role | Date Joined |
|-----------------------------------|----------------------|-------------|--------------------|
| Sen. Barrasso, John [R-WY] | R · WY | | Jan 24, 2017 |
| Sen. Blunt, Roy [R-MO] | R · MO | | Jan 24, 2017 |
| Sen. Boozman, John [R-AR] | R · AR | | Jan 24, 2017 |
| Sen. Capito, Shelley Moore [R-WV] | R · WV | | Jan 24, 2017 |
| Sen. Cochran, Thad [R-MS] | R · MS | | Jan 24, 2017 |
| Sen. Corker, Bob [R-TN] | R · TN | | Jan 24, 2017 |
| Sen. Cotton, Tom [R-AR] | R · AR | | Jan 24, 2017 |
| Sen. Crapo, Mike [R-ID] | R · ID | | Jan 24, 2017 |
| Sen. Cruz, Ted [R-TX] | R · TX | | Jan 24, 2017 |
| Sen. Daines, Steve [R-MT] | R · MT | | Jan 24, 2017 |
| Sen. Donnelly, Joe [D-IN] | D · IN | | Jan 24, 2017 |
| Sen. Enzi, Michael B. [R-WY] | R · WY | | Jan 24, 2017 |
| Sen. Fischer, Deb [R-NE] | R · NE | | Jan 24, 2017 |
| Sen. Flake, Jeff [R-AZ] | R · AZ | | Jan 24, 2017 |
| Sen. Gardner, Cory [R-CO] | R · CO | | Jan 24, 2017 |
| Sen. Graham, Lindsey [R-SC] | R · SC | | Jan 24, 2017 |
| Sen. Grassley, Chuck [R-IA] | R · IA | | Jan 24, 2017 |
| Sen. Hatch, Orrin G. [R-UT] | R · UT | | Jan 24, 2017 |
| Sen. Heller, Dean [R-NV] | R · NV | | Jan 24, 2017 |
| Sen. Hoeven, John [R-ND] | R · ND | | Jan 24, 2017 |
| Sen. Inhofe, James M. [R-OK] | R · OK | | Jan 24, 2017 |
| Sen. Isakson, Johnny [R-GA] | R · GA | | Jan 24, 2017 |
| Sen. Kennedy, John [R-LA] | R · LA | | Jan 24, 2017 |
| Sen. King, Angus S., Jr. [I-ME] | I · ME | | Jan 24, 2017 |
| Sen. Lankford, James [R-OK] | R · OK | | Jan 24, 2017 |
| Sen. Lee, Mike [R-UT] | R · UT | | Jan 24, 2017 |
| Sen. Manchin, Joe, III [D-WV] | D · WV | | Jan 24, 2017 |
| Sen. McCain, John [R-AZ] | R · AZ | | Jan 24, 2017 |
| Sen. McConnell, Mitch [R-KY] | R · KY | | Jan 24, 2017 |
| Sen. Moran, Jerry [R-KS] | R · KS | | Jan 24, 2017 |
| Sen. Murkowski, Lisa [R-AK] | R · AK | | Jan 24, 2017 |
| Sen. Paul, Rand [R-KY] | R · KY | | Jan 24, 2017 |
| Sen. Perdue, David [R-GA] | R · GA | | Jan 24, 2017 |
| Sen. Risch, James E. [R-ID] | R · ID | | Jan 24, 2017 |
| Sen. Rounds, Mike [R-SD] | R · SD | | Jan 24, 2017 |
| Sen. Rubio, Marco [R-FL] | R · FL | | Jan 24, 2017 |
| Sen. Sasse, Ben [R-NE] | R · NE | | Jan 24, 2017 |
| Sen. Shelby, Richard C. [R-AL] | R · AL | | Jan 24, 2017 |
| Sen. Sullivan, Dan [R-AK] | R · AK | | Jan 24, 2017 |
| Sen. Tillis, Thomas [R-NC] | R · NC | | Jan 24, 2017 |
| Sen. Toomey, Patrick [R-PA] | R · PA | | Jan 24, 2017 |

| Cosponsor | Party / State | Role | Date Joined |
|------------------------------|---------------|------|--------------|
| Sen. Wicker, Roger F. [R-MS] | R · MS | | Jan 24, 2017 |
| Sen. Young, Todd [R-IN] | R · IN | | Jan 24, 2017 |
| Sen. Burr, Richard [R-NC] | R · NC | | Feb 7, 2017 |
| Sen. Strange, Luther [R-AL] | R · AL | | Mar 15, 2017 |
| Sen. Portman, Rob [R-OH] | R · OH | | Mar 29, 2017 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|-----------------|--------------|
| Energy and Commerce Committee | House | Referred to | Aug 11, 2017 |
| Health, Education, Labor, and Pensions Committee | Senate | Discharged From | Aug 3, 2017 |

Subjects & Policy Tags

Policy Area:

Health

Related Bills

| Bill | Relationship | Last Action |
|--------------|--------------|---|
| 115 HRES 905 | Related bill | May 22, 2018: Motion to reconsider laid on the table Agreed to without objection. |
| 115 HR 5247 | Related bill | Apr 9, 2018: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 367. |
| 115 HR 2368 | Related bill | Jun 7, 2017: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. |
| 115 HR 878 | Related bill | Mar 2, 2017: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. |

Summary (as of May 30, 2018)

Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2017

(Sec. 2) This bill amends the Federal Food, Drug, and Cosmetic Act to exempt, from specified requirements and restrictions under that Act and other laws, the provision of certain unapproved, investigational drugs to a terminally ill patient who has exhausted approved treatment options and is unable to participate in a clinical trial involving the drugs. The manufacturer or sponsor of an eligible investigational drug must report annually to the Food and Drug Administration (FDA) on any use of the drug in accordance with these provisions. The FDA shall post an annual summary report of such use on its website.

The bill limits the liability of a sponsor, manufacturer, prescriber, or dispenser that provides, or declines to provide, an eligible investigational drug to an eligible patient in accordance with the bill.

Actions Timeline

- **May 30, 2018:** Signed by President.
- **May 30, 2018:** Became Public Law No: 115-176.
- **May 24, 2018:** Presented to President.
- **May 22, 2018:** Considered under the provisions of rule H. Res. 905. (consideration: CR H4355-4366)
- **May 22, 2018:** Rule provides for consideration of H.R. 5515, S. 204 and S. 2155. The resolution provides for one hour of general debate on H.R. 5515, S. 204 and S. 2155. The resolution provides for consideration of S. 2155 and S. 204 under a closed rule. Also, the resolution provides for consideration of H.R. 5515 under a structured rule and makes an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-70 considered as adopted.
- **May 22, 2018:** DEBATE - The House proceeded with one hour of debate on S. 204.
- **May 22, 2018:** The previous question was ordered pursuant to the rule.
- **May 22, 2018:** Ms. Schakowsky moved to recommit with instructions to the Committee on Energy and Commerce. (CR H4363)
- **May 22, 2018:** DEBATE - The House proceeded with 10 minutes of debate on the motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to strike everything after section 1 and insert a completely new text.
- **May 22, 2018:** The previous question on the motion to recommit with instructions was ordered without objection.
- **May 22, 2018:** On motion to recommit with instructions Failed by the Yeas and Nays: 187 - 231 (Roll no. 213).
- **May 22, 2018:** Passed/agreed to in House: On passage Passed by recorded vote: 250 - 169 (Roll no. 214).(text: CR H4355-4356)
- **May 22, 2018:** On passage Passed by recorded vote: 250 - 169 (Roll no. 214). (text: CR H4355-4356)
- **May 22, 2018:** Motion to reconsider laid on the table Agreed to without objection.
- **May 21, 2018:** Rules Committee Resolution H. Res. 905 Reported to House. Rule provides for consideration of H.R. 5515, S. 204 and S. 2155. The resolution provides for one hour of general debate on H.R. 5515, S. 204 and S. 2155. The resolution provides for consideration of S. 2155 and S. 204 under a closed rule. Also, the resolution provides for consideration of H.R. 5515 under a structured rule and makes an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-70 considered as adopted.
- **Aug 11, 2017:** Referred to the Subcommittee on Health.
- **Aug 4, 2017:** Received in the House.
- **Aug 4, 2017:** Referred to the House Committee on Energy and Commerce.
- **Aug 3, 2017:** Senate Committee on Health, Education, Labor, and Pensions discharged by Unanimous Consent.
- **Aug 3, 2017:** Measure laid before Senate by unanimous consent. (consideration: CR S4788-4789)
- **Aug 3, 2017:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Aug 3, 2017:** Passed Senate with an amendment by Unanimous Consent.
- **Aug 3, 2017:** Message on Senate action sent to the House.
- **Jan 24, 2017:** Introduced in Senate
- **Jan 24, 2017:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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