HR 2368

Right to Try Act

Congress: 115 (2017–2019, Ended)
Chamber: House
Policy Area: Health
Introduced: May 4, 2017
Current Status: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
Latest Action: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. (Jun 7, 2017)
Official Text: https://www.congress.gov/bill/115th-congress/house-bill/2368

Sponsor

Name: Rep. Fitzpatrick, Brian K. [R-PA-8]
Party: Republican • **State:** PA • **Chamber:** House

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Biggs, Andy [R-AZ-5]	R · AZ		May 4, 2017
Rep. Sinema, Kyrsten [D-AZ-9]	D · AZ		May 4, 2017
Rep. Sanford, Mark [R-SC-1]	R · SC		Jul 17, 2017
Rep. Smucker, Lloyd [R-PA-16]	R · PA		Jul 27, 2017
Rep. Mooney, Alexander X. [R-WV-2]	R · WV		Feb 6, 2018

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	May 5, 2017
Judiciary Committee	House	Referred to	Jun 7, 2017
Judiciary Committee	House	Referred to	Jun 7, 2017

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
115 S 204	Related bill	**May 30, 2018:** Became Public Law No: 115-176.
115 HR 878	Related bill	**Mar 2, 2017:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Summary (as of May 4, 2017)

Right to Try Act

This bill requires the federal government to allow unrestricted manufacturing, distribution, prescribing, and dispensing of experimental drugs, biological products, and medical devices that are authorized by state law and intended to treat terminally ill patients. Patients receiving these treatments must be certified by a physician as having exhausted all other treatment options and as being at greater risk from their medical condition than the treatment. The physician must explain the treatment to the patient, including that the treatment is experimental, and the patient, or the patient's legal representative, must acknowledge the explanation.

A manufacturer, distributor, prescriber, dispenser, possessor, or user of such a treatment has no liability regarding the treatment.

The outcome of manufacture, distribution, prescribing, dispensing, possession, or use of such a treatment may not be used by a federal agency to adversely impact review or approval of the treatment.

The treatment must: (1) have successfully completed a phase 1 (initial, small scale) clinical trial; (2) remain under investigation in a clinical trial approved by the Food and Drug Administration (FDA); and (3) not be approved, licensed, or cleared for sale by the FDA.

Actions Timeline

- **Jun 7, 2017:** Referred to the Subcommittee on the Constitution and Civil Justice.
- **Jun 7, 2017:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **May 5, 2017:** Referred to the Subcommittee on Health.
- **May 4, 2017:** Introduced in House
- **May 4, 2017:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on 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.