

## HR 5739

Prescription Drug and Medical Device Price Review Board Act of 2018

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** May 9, 2018

**Current Status:** Referred to the Subcommittee on Health.

**Latest Action:** Referred to the Subcommittee on Health. (May 25, 2018)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/5739>

### Sponsor

**Name:** Rep. DeLauro, Rosa L. [D-CT-3]

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

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Doggett, Lloyd [D-TX-35]	D · TX		May 9, 2018
Rep. Moore, Gwen [D-WI-4]	D · WI		May 9, 2018

### Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	May 9, 2018
Judiciary Committee	House	Referred To	May 9, 2018
Ways and Means Committee	House	Referred to	May 25, 2018

### Subjects & Policy Tags

**Policy Area:**

Health

### Related Bills

*No related bills are listed.*

## **Prescription Drug and Medical Device Price Review Board Act of 2018**

This bill establishes the Prescription Drug and Medical Device Price Review Board within the Food and Drug Administration. Each manufacturer of a prescription drug or medical device that is sold in the United States must submit to the board:

- each type of prescription drug and medical device that it sells in the United States, or in a country that is a member of the Organization for Economic Co-operation and Development;
- the price charged by the manufacturer for the drug or device; and
- the costs of the manufacturer to produce them.

The board must establish a formula for determining whether the average manufacturer price of a prescription drug or medical device over an annual quarter is an excessive price. Manufacturers may not charge excessive prices. Individuals may petition the board to determine whether the price for a prescription drug or medical device is excessive.

The board may subject violators to reduced patent terms, civil penalties, and increased Medicaid rebates payable to states. The bill amends the Internal Revenue Code to impose a tax on the sale of prescription drugs or medical devices that have excessive prices.

The board must allow individuals to import from approved countries prescription drugs and devices that are comparable to prescription drugs and devices with excessive prices.

### **Actions Timeline**

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- **May 25, 2018:** Referred to the Subcommittee on Health.
- **May 9, 2018:** Introduced in House
- **May 9, 2018:** 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.