HR 1499

Protecting Consumer Access to Generic Drugs Act of 2019

Congress: 116 (2019–2021, Ended)
Chamber: House
Policy Area: Health
Introduced: Mar 5, 2019
Current Status: Placed on the Union Calendar, Calendar No. 30.
Latest Action: Placed on the Union Calendar, Calendar No. 30. (May 10, 2019)
Official Text: https://www.congress.gov/bill/116th-congress/house-bill/1499

Sponsor

Name: Rep. Rush, Bobby L. [D-IL-1]
Party: Democratic • **State:** IL • **Chamber:** House

Cosponsors (38 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Craig, Angie [D-MN-2]	D · MN		Mar 26, 2019
Rep. Dingell, Debbie [D-MI-12]	D · MI		Mar 26, 2019
Rep. Eshoo, Anna G. [D-CA-18]	D · CA		Mar 26, 2019
Rep. Kennedy, Joseph P., III [D-MA-4]	D · MA		Mar 26, 2019
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Mar 26, 2019
Rep. Ruiz, Raul [D-CA-36]	D · CA		Mar 26, 2019
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Mar 27, 2019
Rep. Clarke, Yvette D. [D-NY-9]	D · NY		Apr 1, 2019
Rep. Van Drew, Jefferson [D-NJ-2]	D · NJ		Apr 1, 2019
Rep. Khanna, Ro [D-CA-17]	D · CA		Apr 3, 2019
Rep. Pappas, Chris [D-NH-1]	D · NH		Apr 4, 2019
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Apr 4, 2019
Rep. Cohen, Steve [D-TN-9]	D · TN		Apr 8, 2019
Rep. Welch, Peter [D-VT-At Large]	D · VT		Apr 8, 2019
Rep. Hastings, Alcee L. [D-FL-20]	D · FL		Apr 9, 2019
Rep. Larson, John B. [D-CT-1]	D · CT		Apr 9, 2019
Rep. Case, Ed [D-HI-1]	D · HI		Apr 15, 2019
Rep. Finkenauer, Abby [D-IA-1]	D · IA		Apr 15, 2019
Rep. Neguse, Joe [D-CO-2]	D · CO		Apr 15, 2019
Rep. Cooper, Jim [D-TN-5]	D · TN		Apr 25, 2019
Rep. Langevin, James R. [D-RI-2]	D · RI		Apr 25, 2019
Rep. Quigley, Mike [D-IL-5]	D · IL		Apr 25, 2019
Rep. Wild, Susan [D-PA-7]	D · PA		Apr 25, 2019
Rep. Mucarsel-Powell, Debbie [D-FL-26]	D · FL		Apr 29, 2019
Rep. Raskin, Jamie [D-MD-8]	D · MD		Apr 29, 2019
Rep. Scott, David [D-GA-13]	D · GA		Apr 29, 2019
Rep. Cisneros, Gilbert Ray, Jr. [D-CA-39]	D · CA		May 1, 2019
Rep. Stevens, Haley M. [D-MI-11]	D · MI		May 1, 2019
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		May 1, 2019
Rep. Carbajal, Salud O. [D-CA-24]	D · CA		May 7, 2019
Rep. Carson, Andre [D-IN-7]	D · IN		May 7, 2019
Rep. Casten, Sean [D-IL-6]	D · IL		May 7, 2019
Rep. Davids, Sharice [D-KS-3]	D · KS		May 7, 2019
Rep. Houlahan, Chrissy [D-PA-6]	D · PA		May 7, 2019
Rep. Kelly, Robin L. [D-IL-2]	D · IL		May 7, 2019
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		May 9, 2019
Rep. Smith, Adam [D-WA-9]	D · WA		May 9, 2019
Rep. Underwood, Lauren [D-IL-14]	D · IL		May 9, 2019

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported by	Mar 27, 2019
Judiciary Committee	House	Referred to	Apr 8, 2019

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
116 HR 19	Related bill	**Dec 19, 2019:** Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
116 HR 2700	Related bill	**Jun 26, 2019:** Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
116 HR 987	Related bill	**May 20, 2019:** Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Summary (as of May 10, 2019)

Protecting Consumer Access to Generic Drugs Act of 2019

This bill prohibits the manufacturer of a brand-name, generic, or biosimilar drug from entering into certain agreements to resolve or settle a patent infringement claim in connection with the sale of a drug or biological product.

Specifically, such an agreement shall, with some exceptions, be a violation of the bill if the filer of a subsequent application to market a drug or biological product receives anything of value and agrees to limit or forego research, development, manufacturing, marketing, or sales of the subsequent drug or biological product. (Typically, a subsequent application seeks to market a generic or biosimilar version of a patented drug or biological product.)

Penalties for violations of the bill include civil penalties and loss of the 180-day exclusivity period for a generic drug. The Federal Trade Commission (FTC) shall have exclusive authority to litigate to enforce the bill.

When a generic or biosimilar drug manufacturer enters into an agreement with another drug manufacturer related to the manufacturing, marketing or sale of a drug, the manufacturers must certify that the material they have given the FTC concerning the agreement contains (1) the complete agreement; and (2) any agreements related to the main agreement, including descriptions of any oral agreements or representations.

Actions Timeline

- **May 10, 2019:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 116-52, Part I.
- **May 10, 2019:** Committee on the Judiciary discharged.
- **May 10, 2019:** Placed on the Union Calendar, Calendar No. 30.
- **Apr 8, 2019:** Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
- **Apr 3, 2019:** Committee Consideration and Mark-up Session Held.
- **Apr 3, 2019:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 27, 2019:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 27, 2019:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Mar 6, 2019:** Referred to the Subcommittee on Health.
- **Mar 5, 2019:** Introduced in House
- **Mar 5, 2019:** 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.