

## S 340

CREATES Act of 2019

**Congress:** 116 (2019–2021, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** Feb 5, 2019

**Current Status:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 22.

**Latest Action:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 22.  
(Feb 6, 2019)

**Official Text:** <https://www.congress.gov/bill/116th-congress/senate-bill/340>

### Sponsor

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**Name:** Sen. Leahy, Patrick J. [D-VT]

**Party:** Democratic • **State:** VT • **Chamber:** Senate

**Cosponsors** (41 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Feb 5, 2019
Sen. Blumenthal, Richard [D-CT]	D · CT		Feb 5, 2019
Sen. Booker, Cory A. [D-NJ]	D · NJ		Feb 5, 2019
Sen. Brown, Sherrod [D-OH]	D · OH		Feb 5, 2019
Sen. Collins, Susan M. [R-ME]	R · ME		Feb 5, 2019
Sen. Cotton, Tom [R-AR]	R · AR		Feb 5, 2019
Sen. Cruz, Ted [R-TX]	R · TX		Feb 5, 2019
Sen. Daines, Steve [R-MT]	R · MT		Feb 5, 2019
Sen. Durbin, Richard J. [D-IL]	D · IL		Feb 5, 2019
Sen. Ernst, Joni [R-IA]	R · IA		Feb 5, 2019
Sen. Feinstein, Dianne [D-CA]	D · CA		Feb 5, 2019
Sen. Fischer, Deb [R-NE]	R · NE		Feb 5, 2019
Sen. Grassley, Chuck [R-IA]	R · IA		Feb 5, 2019
Sen. Hassan, Margaret Wood [D-NH]	D · NH		Feb 5, 2019
Sen. Kennedy, John [R-LA]	R · LA		Feb 5, 2019
Sen. King, Angus S., Jr. [I-ME]	I · ME		Feb 5, 2019
Sen. Klobuchar, Amy [D-MN]	D · MN		Feb 5, 2019
Sen. Lee, Mike [R-UT]	R · UT		Feb 5, 2019
Sen. Menendez, Robert [D-NJ]	D · NJ		Feb 5, 2019
Sen. Murkowski, Lisa [R-AK]	R · AK		Feb 5, 2019
Sen. Paul, Rand [R-KY]	R · KY		Feb 5, 2019
Sen. Rounds, Mike [R-SD]	R · SD		Feb 5, 2019
Sen. Smith, Tina [D-MN]	D · MN		Feb 5, 2019
Sen. Stabenow, Debbie [D-MI]	D · MI		Feb 5, 2019
Sen. Tester, Jon [D-MT]	D · MT		Feb 5, 2019
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Feb 5, 2019
Sen. Young, Todd [R-IN]	R · IN		Feb 5, 2019
Sen. Braun, Mike [R-IN]	R · IN		Mar 4, 2019
Sen. Shaheen, Jeanne [D-NH]	D · NH		Mar 4, 2019
Sen. Carper, Thomas R. [D-DE]	D · DE		Mar 7, 2019
Sen. Cramer, Kevin [R-ND]	R · ND		Mar 7, 2019
Sen. Capito, Shelley Moore [R-WV]	R · WV		Jun 11, 2019
Sen. Van Hollen, Chris [D-MD]	D · MD		Jun 11, 2019
Sen. Hirono, Mazie K. [D-HI]	D · HI		Jul 30, 2019
Sen. McSally, Martha [R-AZ]	R · AZ		Jul 30, 2019
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jul 31, 2019
Sen. Hoeven, John [R-ND]	R · ND		Jul 31, 2019
Sen. Markey, Edward J. [D-MA]	D · MA		Dec 16, 2019
Sen. Peters, Gary C. [D-MI]	D · MI		Dec 16, 2019
Sen. Reed, Jack [D-RI]	D · RI		Dec 16, 2019
Sen. Rosen, Jacky [D-NV]	D · NV		Dec 16, 2019

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
116 HR 2700	Related bill	<b>Jun 26, 2019:</b> Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
116 HR 965	Identical bill	<b>May 16, 2019:</b> Supplemental report filed by the Committee on the Judiciary, H. Rept. 116-55, Part III.

Summary (as of Feb 5, 2019)

Creating and Restoring Equal Access to Equivalent Samples Act of 2019 or the CREATES Act of 2019

This bill generally allows the developer of a drug or biological product, such as a generic or biosimilar version of a drug, to bring a civil action against the license holder of an approved medication if the holder refuses to make available sufficient quantities of the approved medication for the developer's testing. The bill also establishes affirmative defenses to such a civil action.

In addition, the bill authorizes drug manufacturers seeking Food and Drug Administration approval for a generic drug to use alternative methods to develop elements assure safe use of a drug.

Actions Timeline

- **Feb 6, 2019:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 22.
- **Feb 5, 2019:** Introduced in Senate
- **Feb 5, 2019:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time. (Sponsor introductory remarks on measure: CR S868-869)