

## S 3769

### Right to Test Act

**Congress:** 116 (2019–2021, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** May 19, 2020

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (May 19, 2020)

**Official Text:** <https://www.congress.gov/bill/116th-congress/senate-bill/3769>

### Sponsor

**Name:** Sen. Cruz, Ted [R-TX]

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

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Braun, Mike [R-IN]	R · IN		May 19, 2020
Sen. Lee, Mike [R-UT]	R · UT		May 19, 2020
Sen. Loeffler, Kelly [R-GA]	R · GA		May 19, 2020

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	May 19, 2020

### Subjects & Policy Tags

#### Policy Area:

Health

### Related Bills

Bill	Relationship	Last Action
116 S 4537	Related bill	Sep 8, 2020: Read twice and referred to the Committee on Finance.
116 HR 7017	Identical bill	May 26, 2020: Referred to the House Committee on Energy and Commerce.

## Right to Test Act

This bill authorizes a state's public health department, or another entity designated by the state's governor, to approve a diagnostic test or diagnostic device (e.g., a test for the virus that causes COVID-19, or coronavirus disease 2019) for use during a public health emergency.

Unless requested by the governor of the state, the Food and Drug Administration (FDA) must not, during the emergency, engage in certain enforcement actions related to such a test or device.

Not later than 180 days following the end of the public health emergency, the FDA must review and make a final determination concerning approval of the test or device.

## Actions Timeline

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- **May 19, 2020:** Introduced in Senate
- **May 19, 2020:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.