

## S 377

### Medicare Negotiation and Competitive Licensing Act of 2019

**Congress:** 116 (2019–2021, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** Feb 7, 2019

**Current Status:** Read twice and referred to the Committee on Finance.

**Latest Action:** Read twice and referred to the Committee on Finance. (Feb 7, 2019)

**Official Text:** <https://www.congress.gov/bill/116th-congress/senate-bill/377>

### Sponsor

**Name:** Sen. Brown, Sherrod [D-OH]

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

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Feb 7, 2019
Sen. Klobuchar, Amy [D-MN]	D · MN		Feb 7, 2019
Sen. Harris, Kamala D. [D-CA]	D · CA		Jun 25, 2019
Sen. Warren, Elizabeth [D-MA]	D · MA		Oct 31, 2019

### Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Feb 7, 2019

### Subjects & Policy Tags

#### Policy Area:

Health

### Related Bills

Bill	Relationship	Last Action
116 HR 1046	Related bill	Sep 25, 2019: Subcommittee Hearings Held.

## **Medicare Negotiation and Competitive Licensing Act of 2019**

This bill requires the Centers for Medicare & Medicaid Services (CMS) to negotiate with pharmaceutical companies regarding prices for drugs covered under the Medicare prescription drug benefit. (Current law prohibits the CMS from doing so.)

The CMS must take certain factors into account during negotiations, including the clinical- and cost-effectiveness of the drug, the financial burden on patients, and unmet patient needs. If the CMS is unable to negotiate the price of a drug, such drug is subject to competitive licensing in order to further its sale under Medicare, notwithstanding existing government-granted exclusivities.

Additionally, for one year after a drug is provided under a competitive license, such drug is also subject to specified price limitations; if the drug is not offered at such prices, the drug is subject to additional licensing that furthers its sale under any federal program (e.g., Medicaid).

### **Actions Timeline**

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- **Feb 7, 2019:** Introduced in Senate
- **Feb 7, 2019:** Read twice and referred to the Committee on Finance.