HR 3947

Competition Prescription Act of 2019

Congress: 116 (2019–2021, Ended)
Chamber: House
Policy Area: Health
Introduced: Jul 24, 2019
Current Status: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
Latest Action: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. (Aug 28, 2019)
Official Text: https://www.congress.gov/bill/116th-congress/house-bill/3947

Sponsor

Name: Rep. Meadows, Mark [R-NC-11]
Party: Republican • **State:** NC • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred to	Jul 25, 2019
Energy and Commerce Committee	House	Referred to	Jul 25, 2019
Judiciary Committee	House	Referred to	Aug 28, 2019
Judiciary Committee	House	Referred to	Aug 28, 2019
Judiciary Committee	House	Referred to	Aug 28, 2019
Oversight and Government Reform Committee	House	Referred To	Jul 24, 2019
Ways and Means Committee	House	Referred to	Jul 24, 2019

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
116 S 3942	Related bill	**Jun 11, 2020:** Read twice and referred to the Committee on Finance.
116 HR 965	Related bill	**May 16, 2019:** Supplemental report filed by the Committee on the Judiciary, H. Rept. 116-55, Part III.
116 HR 2209	Related bill	**Apr 10, 2019:** Referred to the Subcommittee on Trade.
116 HR 1332	Related bill	**Feb 26, 2019:** Referred to the Subcommittee on Health.

Summary (as of Jul 24, 2019)

Competition Prescription Act of 2019

This bill revises various requirements related to the development, production, and sale of prescription drugs and biological products.

First, the bill permits the developer of a drug or biological product to bring a civil action against the license holder of an approved product if the license holder has declined to make available sufficient quantities of the approved product for the developer's testing.

The bill also requires the Food and Drug Administration (FDA) to establish a process for developers of generic complex drugs to request and receive expedited development and priority review. Further, upon request by a drug sponsor, a drug that treats a life-threatening disease or condition must be designated for expedited review if there are fewer than three drugs currently available for such treatment.

States are prohibited from placing restrictions on dispensing substitute biological products that have been determined to be interchangeable with another product by the FDA.

Additionally, the bill prohibits sponsors of Medicare Part D prescription drug plans from reducing a payment to a pharmacy after a claim without defect has been submitted by such pharmacy. The bill establishes requirements for pricing standards for pharmacy benefits managers under Medicare and other federal prescription drug benefits programs. Starting in 2025, the bill removes the cap on rebates paid by manufacturers of outpatient prescription drugs under Medicaid.

Further, the bill requires the publication of specified information regarding licensed biological products, exempts from antitrust prohibitions specified drug-price negotiation strategies, and establishes a Chief Pharmaceutical Negotiator in the Office of the U.S. Trade Representative.

Actions Timeline

- **Aug 28, 2019:** Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.
- **Aug 28, 2019:** Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
- **Aug 28, 2019:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
- **Jul 25, 2019:** Referred to the Subcommittee on Military Personnel.
- **Jul 25, 2019:** Referred to the Subcommittee on Health.
- **Jul 24, 2019:** Introduced in House
- **Jul 24, 2019:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, the Judiciary, Armed Services, and Oversight and Reform, 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.
- **Jul 24, 2019:** Referred to the Subcommittee on Health.