HR 153

Protecting Consumer Access to Generic Drugs Act of 2021

Congress: 117 (2021–2023, Ended)
Chamber: House
Policy Area: Health
Introduced: Jan 4, 2021
Current Status: Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
Latest Action: Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law. (Mar 4, 2021)
Official Text: https://www.congress.gov/bill/117th-congress/house-bill/153

Sponsor

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

Cosponsors (18 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Casten, Sean [D-IL-6]	D · IL		Jan 4, 2021
Rep. Cohen, Steve [D-TN-9]	D · TN		Jan 4, 2021
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Jan 4, 2021
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		Jan 4, 2021
Rep. Neguse, Joe [D-CO-2]	D · CO		Jan 4, 2021
Rep. Ruiz, Raul [D-CA-36]	D · CA		Jan 4, 2021
Rep. Underwood, Lauren [D-IL-14]	D · IL		Jan 4, 2021
Rep. Van Drew, Jefferson [R-NJ-2]	R · NJ		Jan 4, 2021
Rep. Scott, David [D-GA-13]	D · GA		Jan 5, 2021
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jan 15, 2021
Rep. Trone, David J. [D-MD-6]	D · MD		Jan 15, 2021
Rep. Welch, Peter [D-VT-At Large]	D · VT		Jan 15, 2021
Rep. Blunt Rochester, Lisa [D-DE-At Large]	D · DE		Jan 25, 2021
Rep. Khanna, Ro [D-CA-17]	D · CA		Jan 25, 2021
Rep. Larson, John B. [D-CT-1]	D · CT		Jan 25, 2021
Rep. Case, Ed [D-HI-1]	D · HI		Jul 22, 2021
Rep. Smith, Adam [D-WA-9]	D · WA		Jul 22, 2021
Rep. Wild, Susan [D-PA-7]	D · PA		Mar 1, 2022

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Feb 3, 2021
Judiciary Committee	House	Referred to	Mar 4, 2021

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
117 HR 19	Related bill	**Oct 19, 2021:** Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.

Summary (as of Jan 4, 2021)

Protecting Consumer Access to Generic Drugs Act of 2021

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 shall 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

- **Mar 4, 2021:** Referred to the Subcommittee on Antitrust, Commercial, and Administrative Law.
- **Feb 2, 2021:** Referred to the Subcommittee on Health.
- **Jan 4, 2021:** Introduced in House
- **Jan 4, 2021:** 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.