

HR 3

Elijah E. Cummings Lower Drug Costs Now Act

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Health

Introduced: Apr 22, 2021

Current Status: Referred to the Subcommittee on Oversight and Investigations.

Latest Action: Referred to the Subcommittee on Oversight and Investigations. (Apr 27, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/3>

Sponsor

Name: Rep. Pallone, Frank, Jr. [D-NJ-6]

Party: Democratic • **State:** NJ • **Chamber:** House

Cosponsors (92 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Neal, Richard E. [D-MA-1]	D · MA		Apr 22, 2021
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Apr 22, 2021
Del. Sablan, Gregorio Kilili Camacho [D-MP-At Large]	D · MP		Apr 26, 2021
Rep. Barragan, Nanette Diaz [D-CA-44]	D · CA		Apr 26, 2021
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Apr 26, 2021
Rep. Case, Ed [D-HI-1]	D · HI		Apr 26, 2021
Rep. Castro, Joaquin [D-TX-20]	D · TX		Apr 26, 2021
Rep. Davis, Danny K. [D-IL-7]	D · IL		Apr 26, 2021
Rep. DeGute, Diana [D-CO-1]	D · CO		Apr 26, 2021
Rep. Dingell, Debbie [D-MI-12]	D · MI		Apr 26, 2021
Rep. Doyle, Michael F. [D-PA-18]	D · PA		Apr 26, 2021
Rep. Evans, Dwight [D-PA-3]	D · PA		Apr 26, 2021
Rep. Gomez, Jimmy [D-CA-34]	D · CA		Apr 26, 2021
Rep. Hayes, Jahana [D-CT-5]	D · CT		Apr 26, 2021
Rep. Horsford, Steven [D-NV-4]	D · NV		Apr 26, 2021
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Apr 26, 2021
Rep. Kildee, Daniel T. [D-MI-5]	D · MI		Apr 26, 2021
Rep. Larson, John B. [D-CT-1]	D · CT		Apr 26, 2021
Rep. McNerney, Jerry [D-CA-9]	D · CA		Apr 26, 2021
Rep. Mfume, Kweisi [D-MD-7]	D · MD		Apr 26, 2021
Rep. Morelle, Joseph D. [D-NY-25]	D · NY		Apr 26, 2021
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Apr 26, 2021
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Apr 26, 2021
Rep. Soto, Darren [D-FL-9]	D · FL		Apr 26, 2021
Rep. Suozzi, Thomas R. [D-NY-3]	D · NY		Apr 26, 2021
Rep. Thompson, Mike [D-CA-5]	D · CA		Apr 26, 2021
Rep. Welch, Peter [D-VT-At Large]	D · VT		Apr 26, 2021
Rep. Wilson, Frederica S. [D-FL-24]	D · FL		Apr 26, 2021
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		May 4, 2021
Rep. Beatty, Joyce [D-OH-3]	D · OH		May 4, 2021
Rep. Castor, Kathy [D-FL-14]	D · FL		May 4, 2021
Rep. Courtney, Joe [D-CT-2]	D · CT		May 4, 2021
Rep. Fletcher, Lizzie [D-TX-7]	D · TX		May 4, 2021
Rep. Moore, Gwen [D-WI-4]	D · WI		May 4, 2021
Rep. Casten, Sean [D-IL-6]	D · IL		May 14, 2021
Rep. Cooper, Jim [D-TN-5]	D · TN		May 14, 2021
Rep. Craig, Angie [D-MN-2]	D · MN		May 14, 2021
Rep. DeSaulnier, Mark [D-CA-11]	D · CA		May 14, 2021
Rep. Larsen, Rick [D-WA-2]	D · WA		May 14, 2021
Rep. Slotkin, Elissa [D-MI-8]	D · MI		May 14, 2021
Rep. Wild, Susan [D-PA-7]	D · PA		May 14, 2021

Cosponsor	Party / State	Role	Date Joined
Rep. Carbajal, Salud O. [D-CA-24]	D · CA		May 20, 2021
Rep. Cartwright, Matt [D-PA-8]	D · PA		May 20, 2021
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		May 20, 2021
Rep. Lieu, Ted [D-CA-33]	D · CA		May 20, 2021
Rep. Ruppersberger, C. A. Dutch [D-MD-2]	D · MD		May 20, 2021
Rep. Torres, Ritchie [D-NY-15]	D · NY		May 20, 2021
Rep. Underwood, Lauren [D-IL-14]	D · IL		May 20, 2021
Rep. Allred, Colin Z. [D-TX-32]	D · TX		May 28, 2021
Rep. Blunt Rochester, Lisa [D-DE-At Large]	D · DE		May 28, 2021
Rep. Frankel, Lois [D-FL-21]	D · FL		May 28, 2021
Rep. Maloney, Sean Patrick [D-NY-18]	D · NY		May 28, 2021
Rep. Pappas, Chris [D-NH-1]	D · NH		May 28, 2021
Rep. Ryan, Tim [D-OH-13]	D · OH		May 28, 2021
Rep. Crist, Charlie [D-FL-13]	D · FL		Jun 8, 2021
Rep. Garcia, Sylvia R. [D-TX-29]	D · TX		Jun 8, 2021
Rep. McCollum, Betty [D-MN-4]	D · MN		Jun 8, 2021
Rep. Auchincloss, Jake [D-MA-4]	D · MA		Jun 25, 2021
Rep. Bustos, Cheri [D-IL-17]	D · IL		Jun 25, 2021
Rep. Spanberger, Abigail Davis [D-VA-7]	D · VA		Jun 25, 2021
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Jun 29, 2021
Rep. Williams, Nikema [D-GA-5]	D · GA		Jun 29, 2021
Rep. Deutch, Theodore E. [D-FL-22]	D · FL		Jul 6, 2021
Rep. Jacobs, Sara [D-CA-53]	D · CA		Jul 6, 2021
Rep. Waters, Maxine [D-CA-43]	D · CA		Jul 6, 2021
Rep. Brown, Anthony G. [D-MD-4]	D · MD		Jul 20, 2021
Rep. Langevin, James R. [D-RI-2]	D · RI		Jul 20, 2021
Rep. Maloney, Carolyn B. [D-NY-12]	D · NY		Jul 20, 2021
Rep. Norcross, Donald [D-NJ-1]	D · NJ		Jul 20, 2021
Rep. Stansbury, Melanie Ann [D-NM-1]	D · NM		Jul 20, 2021
Rep. Strickland, Marilyn [D-WA-10]	D · WA		Jul 20, 2021
Rep. Higgins, Brian [D-NY-26]	D · NY		Aug 3, 2021
Rep. Kuster, Ann M. [D-NH-2]	D · NH		Aug 3, 2021
Rep. Neguse, Joe [D-CO-2]	D · CO		Aug 3, 2021
Rep. Wasserman Schultz, Debbie [D-FL-23]	D · FL		Aug 3, 2021
Rep. Yarmuth, John A. [D-KY-3]	D · KY		Aug 3, 2021
Rep. Napolitano, Grace F. [D-CA-32]	D · CA		Aug 6, 2021
Rep. Roybal-Allard, Lucille [D-CA-40]	D · CA		Aug 23, 2021
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Aug 23, 2021
Rep. Lawson, Al, Jr. [D-FL-5]	D · FL		Sep 14, 2021
Rep. Kim, Andy [D-NJ-3]	D · NJ		Sep 17, 2021
Rep. Manning, Kathy E. [D-NC-6]	D · NC		Sep 17, 2021
Rep. Smith, Adam [D-WA-9]	D · WA		Sep 17, 2021

Cosponsor	Party / State	Role	Date Joined
Rep. Cicilline, David N. [D-RI-1]	D · RI		Sep 22, 2021
Rep. Schiff, Adam B. [D-CA-28]	D · CA		Nov 9, 2021
Rep. Cohen, Steve [D-TN-9]	D · TN		Jan 25, 2022
Rep. Stevens, Haley M. [D-MI-11]	D · MI		Feb 18, 2022
Rep. Trone, David J. [D-MD-6]	D · MD		Mar 1, 2022
Rep. Garamendi, John [D-CA-3]	D · CA		Jul 11, 2022
Rep. Phillips, Dean [D-MN-3]	D · MN		Jul 11, 2022
Rep. Meng, Grace [D-NY-6]	D · NY		Jul 14, 2022
Rep. Torres, Norma J. [D-CA-35]	D · CA		Aug 30, 2022

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Apr 22, 2021
Energy and Commerce Committee	House	Referred to	Apr 23, 2021
Oversight and Government Reform Committee	House	Referred To	Apr 22, 2021
Veterans' Affairs Committee	House	Referred to	Apr 27, 2021
Ways and Means Committee	House	Referred to	Apr 22, 2021

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
117 HR 4417	Related bill	Jul 14, 2021: Referred to the Subcommittee on Health.
117 HR 2706	Related bill	Apr 21, 2021: Referred to the Subcommittee on Health.

Elijah E. Cummings Lower Drug Costs Now Act

This bill establishes several programs and requirements relating to the prices of prescription drugs.

In particular, the bill requires the Department of Health and Human Services (HHS) to negotiate prices for certain drugs (current law prohibits HHS from doing so). Specifically, HHS must negotiate maximum prices for single-source, brand-name drugs that lack certain generics and that are among either the 125 drugs that account for the greatest national spending or the 125 drugs that account for the greatest Medicare spending. HHS must negotiate the prices of at least 25 such drugs for 2024 and of at least 50 such drugs thereafter and must also negotiate prices for certain newly approved drugs and for insulin products. The negotiated prices must be offered under Medicare and may also be offered under private health insurance unless the insurer opts out.

The negotiated maximum price may not exceed (1) 120% of the average price in Australia, Canada, France, Germany, Japan, and the United Kingdom; or (2) if such information is not available, 85% of the U.S. average manufacturer price. Drug manufacturers that fail to comply with the bill's negotiation requirements are subject to civil and tax penalties.

The bill also makes a series of additional changes to Medicare prescription drug coverage and pricing, including by (1) requiring drug manufacturers to issue rebates to the Centers for Medicare & Medicaid Services for covered drugs that cost \$100 or more and for which the average manufacturer price increases faster than inflation, and (2) capping annual out-of-pocket spending under the Medicare prescription drug benefit.

The bill also requires drug manufacturers to report specified information for certain high-cost drugs, and it provides funds for opioid epidemic initiatives and biomedical research.

Actions Timeline

- **Apr 27, 2021:** Referred to the Subcommittee on Oversight and Investigations.
- **Apr 23, 2021:** Referred to the Subcommittee on Health.
- **Apr 22, 2021:** Introduced in House
- **Apr 22, 2021:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, Oversight and Reform, and Veterans' Affairs, 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.
- **Apr 22, 2021:** Referred to the Subcommittee on Health.