

## S 5322

Medical Innovation Act of 2022

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** Dec 20, 2022

**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. (Dec 20, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/5322>

### Sponsor

**Name:** Sen. Warren, Elizabeth [D-MA]

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

### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Dec 20, 2022
Sen. Brown, Sherrod [D-OH]	D · OH		Dec 20, 2022
Sen. Sanders, Bernard [I-VT]	I · VT		Dec 20, 2022
Sen. Van Hollen, Chris [D-MD]	D · MD		Dec 20, 2022
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Dec 20, 2022

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Dec 20, 2022

### Subjects & Policy Tags

**Policy Area:**

Health

### Related Bills

Bill	Relationship	Last Action
117 HR 9687	Identical bill	Dec 22, 2022: Referred to the House Committee on Energy and Commerce.

## Medical Innovation Act of 2022

This bill requires certain drug manufacturers to make payments to fund research supported by the Food and Drug Administration (FDA) and the National Institutes of Health (NIH).

A drug manufacturer with over \$1 billion in net income in a fiscal year that has entered into a relevant settlement agreement regarding specified violations must pay 0.75%-1.5% of its net income to the Department of Health and Human Services for each of its covered blockbuster drugs. A covered blockbuster drug is a drug that has at least \$1 billion in net sales in a year and was developed, in whole or in part, through federal investments in medical research.

Payments are divided between the FDA and the NIH in proportion to the discretionary funding of those agencies, excluding FDA user fees. Payments are not disbursed if appropriations for the FDA or the NIH are lower than in the prior fiscal year. Priorities for payments must include advancing regulatory science for medical products and research related to diseases that disproportionately account for federal health care spending.

A covered blockbuster drug for which a manufacturer has not made a required payment is considered misbranded and subject to prohibitions on introducing or receiving misbranded drugs in interstate commerce.

## Actions Timeline

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- **Dec 20, 2022:** Introduced in Senate
- **Dec 20, 2022:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.