

S 1217

Ending the Prescription Drug Kickback Act of 2023

**Congress:** 118 (2023–2025, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** Apr 19, 2023

**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. (Apr 19, 2023)

**Official Text:** <https://www.congress.gov/bill/118th-congress/senate-bill/1217>

Sponsor

**Name:** Sen. Hawley, Josh [R-MO]

**Party:** Republican • **State:** MO • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Apr 19, 2023

Subjects & Policy Tags

**Policy Area:**

Health

Related Bills

No related bills are listed.

Summary (as of Apr 19, 2023)

Ending the Prescription Drug Kickback Act of 2023

This bill generally prohibits prescription drug manufacturers from providing rebates to pharmacy benefit managers (PBMs) or private health insurance plans.

Specifically, the bill eliminates the safe harbor for rebates, or other payments, provided to PBMs that are intended to influence the applicable cost-sharing tier of the drug (e.g., placing the drug in a more favorable formulary tier).

The bill further prohibits health insurance plans from receiving such rebates with respect to a prescription drug covered by the plan. Plans also must ensure PBMs do not receive any such rebates.

## Actions Timeline

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- **Apr 19, 2023:** Introduced in Senate
- **Apr 19, 2023:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.