

S 1497

Emergency Access to Insulin Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Health

Introduced: May 9, 2023

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (May 9, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/1497>

Sponsor

Name: Sen. Smith, Tina [D-MN]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	May 9, 2023

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
118 HR 3134	Identical bill	Dec 17, 2024: Referred to the Subcommittee on Health.

Emergency Access to Insulin Act of 2023

This bill reduces the marketing exclusivity period for biological drug products from 12 to 7 years and establishes policies and programs designed to increase access to prescription insulin.

Specifically, the bill requires the Department of Health and Human Services (HHS) to award grants to states to create insulin card programs, which provide uninsured or underinsured individuals with insulin at no cost for specified time periods. Payments for insulin prescriptions made through the program must count toward an underinsured individual's health plan deductible or other out-of-pocket expenses required under the plan. Further, HHS must collect annual fees from insulin manufacturers, based on each manufacturer's market share, equal to the total estimated expenditures under the insulin grants program.

Subject to certain exceptions, the bill also establishes an excise tax on insulin manufacturers when the price of an insulin product spikes. The tax amount is a specified percentage of the revenue a manufacturer received as a result of the price spike. The tax amount increases in tiers based on the percentage of the price spike for that product.

Actions Timeline

- **May 9, 2023:** Introduced in Senate
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