

HR 1691

Ensuring Patient Access to Critical Breakthrough Products Act of 2024

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: Health

Introduced: Mar 22, 2023

Current Status: Placed on the Union Calendar, Calendar No. 801.

Latest Action: Placed on the Union Calendar, Calendar No. 801. (Dec 24, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/house-bill/1691>

Sponsor

Name: Rep. Wenstrup, Brad R. [R-OH-2]

Party: Republican • **State:** OH • **Chamber:** House

Cosponsors (89 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bilirakis, Gus M. [R-FL-12]	R · FL		Mar 22, 2023
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Mar 22, 2023
Rep. DelBene, Suzan K. [D-WA-1]	D · WA		Mar 22, 2023
Rep. Eshoo, Anna G. [D-CA-16]	D · CA		Mar 22, 2023
Rep. Guthrie, Brett [R-KY-2]	R · KY		Mar 22, 2023
Rep. Moore, Blake D. [R-UT-1]	R · UT		Mar 22, 2023
Rep. Sewell, Terri A. [D-AL-7]	D · AL		Mar 22, 2023
Rep. Auchincloss, Jake [D-MA-4]	D · MA		Apr 19, 2023
Rep. Bacon, Don [R-NE-2]	R · NE		Apr 19, 2023
Rep. Balderson, Troy [R-OH-12]	R · OH		Apr 19, 2023
Rep. Craig, Angie [D-MN-2]	D · MN		Apr 19, 2023
Rep. Crenshaw, Dan [R-TX-2]	R · TX		Apr 19, 2023
Rep. Curtis, John R. [R-UT-3]	R · UT		Apr 19, 2023
Rep. Dean, Madeleine [D-PA-4]	D · PA		Apr 19, 2023
Rep. Houlahan, Chrissy [D-PA-6]	D · PA		Apr 19, 2023
Rep. Joyce, John [R-PA-13]	R · PA		Apr 19, 2023
Rep. Kilmer, Derek [D-WA-6]	D · WA		Apr 19, 2023
Rep. Kuster, Ann M. [D-NH-2]	D · NH		Apr 19, 2023
Rep. Miller, Carol D. [R-WV-1]	R · WV		Apr 19, 2023
Rep. Peters, Scott H. [D-CA-50]	D · CA		Apr 19, 2023
Rep. Steel, Michelle [R-CA-45]	R · CA		Apr 19, 2023
Rep. Bucshon, Larry [R-IN-8]	R · IN		May 5, 2023
Rep. Fitzpatrick, Brian K. [R-PA-1]	R · PA		May 5, 2023
Rep. Lofgren, Zoe [D-CA-18]	D · CA		May 5, 2023
Rep. Schrier, Kim [D-WA-8]	D · WA		May 5, 2023
Rep. Trahan, Lori [D-MA-3]	D · MA		May 5, 2023
Rep. Yakym, Rudy [R-IN-2]	R · IN		May 5, 2023
Rep. Bera, Ami [D-CA-6]	D · CA		May 9, 2023
Rep. Boyle, Brendan F. [D-PA-2]	D · PA		May 9, 2023
Rep. Ciscomani, Juan [R-AZ-6]	R · AZ		May 9, 2023
Rep. Correa, J. Luis [D-CA-46]	D · CA		May 9, 2023
Rep. Ferguson, A. Drew, IV [R-GA-3]	R · GA		May 9, 2023
Rep. Lieu, Ted [D-CA-36]	D · CA		May 9, 2023
Rep. McGovern, James P. [D-MA-2]	D · MA		May 9, 2023
Rep. Porter, Katie [D-CA-47]	D · CA		May 9, 2023
Rep. Swalwell, Eric [D-CA-14]	D · CA		May 9, 2023
Rep. Wild, Susan [D-PA-7]	D · PA		May 9, 2023
Rep. Carey, Mike [R-OH-15]	R · OH		May 10, 2023
Rep. Simpson, Michael K. [R-ID-2]	R · ID		May 10, 2023
Rep. Kim, Young [R-CA-40]	R · CA		May 15, 2023
Rep. Pappas, Chris [D-NH-1]	D · NH		May 16, 2023

Cosponsor	Party / State	Role	Date Joined
Rep. Burgess, Michael C. [R-TX-26]	R · TX		May 22, 2023
Rep. Miller-Meeks, Mariannette [R-IA-1]	R · IA		May 23, 2023
Rep. Scanlon, Mary Gay [D-PA-5]	D · PA		May 31, 2023
Rep. Panetta, Jimmy [D-CA-19]	D · CA		Jun 5, 2023
Rep. Dunn, Neal P. [R-FL-2]	R · FL		Jun 12, 2023
Rep. Mullin, Kevin [D-CA-15]	D · CA		Jun 12, 2023
Rep. Kelly, Mike [R-PA-16]	R · PA		Jun 22, 2023
Rep. Ross, Deborah K. [D-NC-2]	D · NC		Jun 22, 2023
Rep. DeGette, Diana [D-CO-1]	D · CO		Jun 23, 2023
Rep. Gottheimer, Josh [D-NJ-5]	D · NJ		Jul 6, 2023
Rep. Lee, Laurel M. [R-FL-15]	R · FL		Jul 6, 2023
Rep. Barr, Andy [R-KY-6]	R · KY		Sep 14, 2023
Rep. Kean, Thomas H. [R-NJ-7]	R · NJ		Sep 14, 2023
Rep. Neguse, Joe [D-CO-2]	D · CO		Sep 14, 2023
Rep. Pence, Greg [R-IN-6]	R · IN		Sep 14, 2023
Rep. Phillips, Dean [D-MN-3]	D · MN		Sep 14, 2023
Rep. Tenney, Claudia [R-NY-24]	R · NY		Sep 14, 2023
Rep. Fischbach, Michelle [R-MN-7]	R · MN		Sep 26, 2023
Rep. Mast, Brian J. [R-FL-21]	R · FL		Sep 26, 2023
Rep. Johnson, Bill [R-OH-6]	R · OH		Sep 29, 2023
Rep. Langworthy, Nicholas A. [R-NY-23]	R · NY		Oct 11, 2023
Rep. Pettersen, Brittany [D-CO-7]	D · CO		Oct 11, 2023
Rep. Van Duyne, Beth [R-TX-24]	R · TX		Oct 11, 2023
Rep. Finstad, Brad [R-MN-1]	R · MN		Oct 20, 2023
Rep. LaHood, Darin [R-IL-16]	R · IL		Oct 20, 2023
Rep. Caraveo, Yadira [D-CO-8]	D · CO		Nov 13, 2023
Rep. Owens, Burgess [R-UT-4]	R · UT		Nov 13, 2023
Rep. Schneider, Bradley Scott [D-IL-10]	D · IL		Nov 13, 2023
Rep. Smucker, Lloyd [R-PA-11]	R · PA		Nov 13, 2023
Rep. Thompson, Glenn [R-PA-15]	R · PA		Nov 13, 2023
Rep. Armstrong, Kelly [R-ND-At Large]	R · ND		Dec 13, 2023
Rep. Cohen, Steve [D-TN-9]	D · TN		Dec 13, 2023
Rep. Crow, Jason [D-CO-6]	D · CO		Dec 13, 2023
Rep. Rutherford, John H. [R-FL-5]	R · FL		Dec 13, 2023
Rep. Soto, Darren [D-FL-9]	D · FL		Dec 13, 2023
Rep. Westerman, Bruce [R-AR-4]	R · AR		Dec 13, 2023
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Feb 23, 2024
Rep. Nickel, Wiley [D-NC-13]	D · NC		Feb 23, 2024
Rep. Obernolte, Jay [R-CA-23]	R · CA		Feb 23, 2024
Rep. Smith, Adrian [R-NE-3]	R · NE		Apr 2, 2024
Rep. James, John [R-MI-10]	R · MI		Apr 20, 2024
Rep. Maloy, Celeste [R-UT-2]	R · UT		May 15, 2024

Cosponsor	Party / State	Role	Date Joined
Rep. Barragán, Nanette Diaz [D-CA-44]	D · CA		May 21, 2024
Rep. Davis, Donald G. [D-NC-1]	D · NC		Jun 3, 2024
Rep. Slotkin, Elissa [D-MI-7]	D · MI		Jun 5, 2024
Rep. Davis, Danny K. [D-IL-7]	D · IL		Jun 26, 2024
Rep. Strickland, Marilyn [D-WA-10]	D · WA		Nov 12, 2024
Rep. Stevens, Haley M. [D-MI-11]	D · MI		Nov 19, 2024

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported by	Nov 15, 2023
Ways and Means Committee	House	Reported By	Dec 24, 2024

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
118 S 5349	Related bill	Nov 20, 2024: Read twice and referred to the Committee on Finance.

Summary (as of Mar 22, 2023)

Ensuring Patient Access to Critical Breakthrough Products Act of 2023

This bill provides for Medicare coverage of medical devices that are approved under the Food and Drug Administration (FDA) Breakthrough Devices Program. (Under the program, manufacturers work with the FDA to expedite the review and approval of certain medical devices that provide for more effective treatment or diagnosis of life-threatening or irreversibly debilitating human diseases or conditions.)

The bill allows designated medical breakthrough devices to be temporarily covered under Medicare during a four-year transitional period. The Centers for Medicare & Medicaid Services (CMS) must assign payment codes for such devices within three months of FDA approval. The CMS must also establish a process to allow for continued coverage after the transitional period has expired, taking into account any additional evidence or data the CMS deems necessary.

The CMS must also provide for temporary and, where appropriate, permanent Medicare coverage of breakthrough devices for which there is no existing benefit category (i.e., classification).

Actions Timeline

- **Dec 24, 2024:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 118-952, Part I.
- **Dec 24, 2024:** Committee on Energy and Commerce discharged.
- **Dec 24, 2024:** Placed on the Union Calendar, Calendar No. 801.
- **Jun 27, 2024:** Committee Consideration and Mark-up Session Held
- **Jun 27, 2024:** Ordered to be Reported in the Nature of a Substitute (Amended) by the Yeas and Nays: 36 - 5.
- **Nov 15, 2023:** Subcommittee Consideration and Mark-up Session Held
- **Nov 15, 2023:** Forwarded by Subcommittee to Full Committee by the Yeas and Nays: 21 - 6.
- **Mar 31, 2023:** Referred to the Subcommittee on Health.
- **Mar 22, 2023:** Introduced in House
- **Mar 22, 2023:** Referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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.