HR 6275

Protecting Consumer Access to Generic Drugs Act of 2023

Congress: 118 (2023–2025, Ended)
Chamber: House
Policy Area: Health
Introduced: Nov 7, 2023
Current Status: Referred to the Subcommittee on Innovation, Data, and Commerce.
Latest Action: Referred to the Subcommittee on Innovation, Data, and Commerce. (Nov 10, 2023)
Official Text: https://www.congress.gov/bill/118th-congress/house-bill/6275

Sponsor

Name: Rep. Perez, Marie Gluesenkamp [D-WA-3]
Party: Democratic • **State:** WA • **Chamber:** House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Casten, Sean [D-IL-6]	D · IL		Nov 7, 2023
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Nov 7, 2023
Rep. Magaziner, Seth [D-RI-2]	D · RI		Jul 22, 2024

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Nov 10, 2023
Judiciary Committee	House	Referred To	Nov 7, 2023

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Nov 7, 2023)

Protecting Consumer Access to Generic Drugs Act of 2023

This bill prohibits the manufacturer of a brand-name, generic, or biosimilar drug from entering into certain agreements to resolve or settle a patent infringement claim in connection with the sale of a drug or biological product.

Specifically, such an agreement shall, with some exceptions, be a violation of the bill if the filer of a subsequent application to market a drug or biological product receives anything of value and agrees to limit or forego research, development, manufacturing, marketing, or sales of the subsequent drug or biological product. (Typically, a subsequent application seeks to market a generic or biosimilar version of a patented drug or biological product.)

Penalties for violations of the bill include civil penalties and loss of the 180-day exclusivity period for a generic drug. The Federal Trade Commission (FTC) shall have exclusive authority to litigate to enforce the bill.

When a generic or biosimilar drug manufacturer enters into an agreement with another drug manufacturer related to the manufacturing, marketing or sale of a drug, the manufacturers shall certify that the material they have given the FTC concerning the agreement contains (1) the complete agreement; and (2) any agreements related to the main agreement, including descriptions of any oral agreements or representations.

Actions Timeline

- **Nov 10, 2023:** Referred to the Subcommittee on Innovation, Data, and Commerce.
- **Nov 7, 2023:** Introduced in House
- **Nov 7, 2023:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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.