

117TH CONGRESS  
1ST SESSION

# H. R. 5467

To amend the Federal Food, Drug, and Cosmetic Act to clarify that artificial intelligence and machine learning technologies can qualify as a practitioner eligible to prescribe drugs if authorized by the State involved and approved, cleared, or authorized by the Food and Drug Administration, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2021

Mr. SCHWEIKERT introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Federal Food, Drug, and Cosmetic Act to clarify that artificial intelligence and machine learning technologies can qualify as a practitioner eligible to prescribe drugs if authorized by the State involved and approved, cleared, or authorized by the Food and Drug Administration, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Healthy Technology  
5       Act of 2021”.

1 **SEC. 2. PRESCRIPTION OF DRUGS BY ARTIFICIAL INTEL-**  
2 **LIGENCE OR MACHINE LEARNING TECH-**  
3 **NOLOGIES.**

4 Section 503(b) of Federal Food, Drug, and Cosmetic  
5 Act (21 U.S.C. 353(b)) is amended by adding at the end  
6 the following:

7 “(6) In this subsection, the term ‘practitioner li-  
8 censed by law to administer such drug’ includes artificial  
9 intelligence and machine learning technology that are—  
10 “(A) authorized pursuant to a statute of the  
11 State involved to prescribe the drug involved; and  
12 “(B) approved, cleared, or authorized under  
13 section 510(k), 513, 515, or 564.”.

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