IN THE CONGRESS OF THE UNITED STATES

JULY 16, 2020

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Cosponsors: Rep. Grahamsson (S-GA-2), Rep. Galt (L-MO-2), Rep. Wayne (L-PA-1)

A bill to lower drug prices by allowing increased supply of prescriptions through importation and transparency in drug pricing.

Be it enacted by the House of Representatives of the United States of America in Congress Assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Prescription Medication Access and Affordability Act of 2020"

SEC. 2. FINDINGS.

Congress finds that—

(a) The FDA currently disallows most importation of prescription drugs.

(b) Average U.S. drug prices are nearly four times higher than other countries according to a House Ways and Means Committee report on drug prices.

(c) Companies are not required to disclose prices on prescription drugs to insurance companies or patients, leading to increases in costs due to lack of market signals from an opaque pricing policy.

SEC. 3. DEFINITIONS.

In this Act—

(a) Prescription drugs: Any medication that requires a doctor's prescription for a patient to access

(b) Importing: Moving prescription drugs across a country's border other than the country where the drug was originally manufactured.

(c) Individual units: A single filled prescription from a doctor

SEC. 4. BILL TEXT

(a) The Secretary of Health and Human Services (thereinafter "the Secretary") shall draw up a list of jurisdictions whose safety and efficacy standards for prescription drugs they deem to be equal to or higher than the relevant FDA standards.

(b) (b) The Secretary shall allow the importation of prescription drugs from any jurisdiction listed on said list, provided that—

  (i) an agreement has been reached and ratified between the United States and said jurisdiction regarding the importation of prescription drugs from this jurisdiction to the United States; and

  (ii) the jurisdiction continues to uphold safety and efficacy standards for prescription drugs deemed by the Secretary to be equal to or higher than the relevant FDA standards.

(c) The Secretary of Health and Human Services may at any time add new jurisdictions to, or remove jurisdictions from, the list provided for in subsection (a), where they deem that—

  (i) the jurisdiction to be added has safety and efficacy standards for prescription drugs equal to or higher than the relevant FDA standards.

  (ii) safety and efficacy standards for prescription drugs in the jurisdiction to be removed are no longer at least equal to the relevant FDA standards.

(d) Pharmaceutical manufacturers and wholesalers shall publish their prices for individual units of prescription drugs available for patient use by providing the Department of Health and Human Services (thereinafter "the Department") with a regularly updated list of such prescription drugs and prices.

(e) The list provided for in subsection (d) shall be published by the Department and updated regularly.

(f) Any retailer selling prescription drugs available for patient use shall, upon request by a customer, provide them with the relevant information contained in the list provided for in subsection (d).

(g) Pharmaceutical manufacturers and wholesalers shall disclose wholesale prices to insurance companies and the Department upon request.

SEC. 5. ENACTMENT.

EFFECTIVE DATE.— The provisions of this Act shall come into force immediately after passage.

Amended on 07/24/2020 by Senator Carton (S-FR-5)