

# Pre-Election Drug Pricing Regulation Efforts: Where Does Congress Stand?

**Minding Your Business Blog** on **September 30, 2020**

The regulation of drug prices has received significant recent bipartisan support in Congress. Democrats and Republicans in both houses have proposed approximately eighty bills relating to drug pricing over the past two years. The charts below summarize the key provisions of representative bills.[\[i\]](#)

Although the proposed price-regulating mechanisms differ from bill to bill, the bills do not indicate a clear difference in the parties' goals when viewed at a high level. Many of the proposed bills focus on price transparency as well as reporting to the Department of Health and Human Services (HHS). Certain bills would require pharmaceutical manufacturers to provide data on, and justifications for, the pricing of certain drugs that would exceed specified price increase limits. These bills usually include penalties for reporting failures; however, they usually do not provide a procedure to lower a price that triggers the reporting provisions. Instead, they often establish or enhance public databases for the reported information, and some go as far as requiring pharmacists to communicate this information to the patient at the point of sale.

Other proposed bills would set caps on drug pricing, albeit through different approaches. Certain bills would require HHS to negotiate drug prices with the manufacturers of covered drugs, for example, and some of these bills grant HHS the power to establish a price if an agreement is not reached.

Although many bills on this topic have been proposed throughout the current legislative session, most are stalled in committee, often since their day of."

## Senate Bills

Bill No.	Introduced	Status	Summary of S
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[S. 3384](#)

03/03/2020

Lowering Prescription  
Drug Prices for  
America's Seniors and  
Families Act of 2020

Sen. Martha McSally (R-  
AZ)

03/03/2020 Referred  
to Committee on  
Finance

???Allows HF  
Medicare

???Allows inc

???Establishe  
Affordabil

???Puts limita  
otherwise

???If a manu  
more than  
Price Inde  
exceeds t  
manufact  
price incre  
increase i

[S. 3166](#)

01/08/2020

Prescription Drug  
Affordability and  
Access Act

Sen. Cory Booker (D-NJ)

01/08/2020 Referred  
to Committee on  
Health, Education,  
Labor, and Pensions

???In determ  
appropria  
factors, ir  
population  
drug acce  
and the p

???If the pric  
direct the  
appropria  
rebate pr  
inappropr

[S. 3129](#)

12/19/2019

Lower Costs, More Cures Act of 2019

Sen. Mike Crapo (R-ID)

12/19/2019 Referred to Committee on Finance.

???Increases drug price including qualifying single cal consecuti manufact informati descriptio

???Gives HH\$ defeated

[S. 2543](#)

09/25/2019

Prescription Drug Pricing Reduction Act of 2019

Sen. Chuck Grassley (R-IA)

09/25/2019 Legislative Calendar under General Orders (Calendar No. 225)

S. 4199 (introduced 07/02/2020) reintroduces S. 2543

???Requires to HHS fo price in th percentag drug is in under Titl during an months, a increase c greater po

???Drug mar certain cc the avera than infla

[S. 1987](#)

06/26/2019

End Price Gouging for Medications Act

Sen. Jeff Merkley (D-OR)

06/26/2019 Referred to Committee on Health, Education, Labor, and Pensions

???HHS must on the me the United Australia, Sweden.

???If informa reference be determ the theraj costs, and

???Drugs cov not excee

???Drugs mu private he

[S. 1664](#)

05/23/2019

Prescription Drug Price Reporting Act

Sen. Rick Scott (R-FL)

05/23/2019 Referred to Committee on Health, Education, Labor, and Pensions

???Requires HHS abou informati

???Manufact changes

???HHS must consumer notificatic

[S. 1437](#)

05/13/2019

Drug-price Transparency in Communications (DTC) IL Act

Sen. Richard J. Durbin (D-

05/13/2019 Referred to Committee on Finance

???Requires prescripti Medicaid pricing int the recen

[S. 1391](#)

05/09/2019

Fair Accountability and Innovative Research Drug Pricing Act of 2019  
Sen. Tammy Baldwin (D-WI)

05/09/2019 Referred to the Committee on Health, Education, Labor, and Pensions

???Established and price  
???Requires 30 days.

[S. 977](#)

04/01/2019

Transparent Drug Pricing Act of 2019  
Sen. Rick Scott (R-FL)

04/01/2019

Referred to Committee on Health, Education, Labor, and Pensions

???At the point of out-of-pocket insurance  
???Health insurance amount for the annual retail list exceeding France, the

[S. 709](#)

03/07/2019

Prescription Drug Pricing Dashboard Act (D-PA)  
Sen. Robert P. Casey, Jr. (D-PA)

03/07/2019 Referred to Committee on Health, Education, Labor, and Pensions

???HHS must specify in drugs in f

[S. 637](#)

02/28/2019

CURE High Drug Prices Act

Sponsor: Sen. Richard Blumenthal (D-CT)

02/28/2019 Referred to Committee on Health, Education, Labor, and Pensions

Prohibits |  
prescripti  
care prog

Price goug  
increases  
previous :  
previous :  
the previc

If HHS ha:  
constitute  
manufact  
the price

[S. 474](#)

02/13/2019

Stopping the  
Pharmaceutical  
Industry from Keeping  
drugs Expensive  
(SPIKE) Act of 2019

Sen. Ron Wyden (D-OR)

02/13/2019 Referred to Committee on Finance

Requires |  
justificati  
percentag

[S. 378](#)

02/07/2019

Stop Price Gouging Act

Sen. Sherrod Brown (D-OH)

02/07/2019 Referred to Committee on Finance

???When the excise tax spike revenue

???A price spike by more than is the percentage Price Index that year year.

???HHS can exclude for-cause or (2) the of not generic marketed approved

???Pharmaceuticals about drugs must submit

???Established to HHS re

[S. 102](#)

01/10/2019

Prescription Drug Price Relief Act of 2019

Sen. Bernard Sanders (I-VT)

01/10/2019 Referred to Committee on Health, Education, Labor, and Pensions

???Requires excessive

???Prices are average retail price of the Germany, exceed the least three considered factors, in to patient population

[S. 99](#)

01/10/2019

Medicare Drug Price Negotiation Act	Sen. Bernard Sanders (I- VT)	01/10/2019 Referred to Committee on Finance	???Similar to prices of c
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[S. 62](#)

01/09/2019

Empowering Medicare Seniors to Negotiate Drug Prices Act of 2019	Sen. Amy Klobuchar (D- MN)	01/09/2019 Referred to Committee on Finance	???Similar to negotiate price stru drugs.
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**House Bills**

<b>Bill No.</b>	<b>Introduced</b>	<b>Status</b>	<b>Summary of Sel</b>
<a href="#">H.R. 5281</a>	12/03/2019	12/04/2019 Referred to the Subcommittee on Health	???Requires pe
Drug Price Transparency in Medicaid Act of 2019	Rep. Earl L. Carter (R-GA- 1)		

Bill No.	Introduced	Status	Summary of Sel
<a href="#">H.R. 5239</a>	11/21/2019	11/22/2019 Referred to the Subcommittee on Health	<p>???</p> <p>Manufactur changes to as well as in rebates.</p>
Prescription Drug Price Reporting Act	Rep. David P. Joyce (R-OH-14)		<p>???</p> <p>Requires HI this inform</p>
<a href="#">H.R. 5039</a>	11/12/2019	11/13/2019 Referred to Subcommittee on Health.	<p>???</p> <p>Places restr prescription average ma of the averi United King</p>
Life-Sustaining Prescription Drug Price Relief Act of 2019	Rep. Daniel Lipinski (D-IL-3)		<p>???</p> <p>Allows HHS covered by</p> <p>???</p> <p>Requires HI</p>
<a href="#">H.R. 4640</a>	10/11/2019	10/14/2019 Referred to Subcommittee on Health	<p>???</p> <p>If federally developmen patent for t entity recei pricing agre</p>
Affordable Pricing for Taxpayer-Funded Prescription Drugs Act of 2019	Rep. Peter A. DeFazio (D-OR-4)		

Bill No.	Introduced	Status	Summary of Sel
<a href="#">H.R. 3</a>	09/19/2019	12/12/2019 Passed House	??? Drug price price in Aus and the Uni not availab price in the
Elijah E. Cummings Lower Drug Costs Now Act	Rep. Frank Pallone, Jr. (D-NJ-6)	Senate - 09/08/2020 Placed on Legislative Calendar (General Orders, Calendar No. 521)	??? Requires CI display the course of tr ??? Requires HI
<a href="#">H.R. 3379</a>	06/20/2019	06/21/2019 Referred to the Subcommittee on Health	??? Shortens th biosimilars licensed.
Price Relief, Innovation, and Competition for Essential Drugs Act	Rep. Janice D. Schakowsky (D-IL-9)		
<a href="#">H.R. 2115</a>	04/08/2019	10/28/2019 Passed House	??? Requires CI regarding P prescription generic disj rebates, an and pharm:
Public Disclosure of Drug Discounts and Real-Time Beneficiary Drug Cost Act	Rep. Abigail Davis Spanberger (D-VA-7)	Senate - 10/29/2019 Committee on Finance	

Bill No.	Introduced	Status	Summary of Sel
<a href="#">H.R. 2087</a>	04/04/2019		
Drug Price Transparency Act	Rep. Lloyd Doggett (D-TX-35)	05/21/2019 Subcommittee hearings	??? Requires m agreement: Program to average sal
		05/16/2019 Passed House	
<a href="#">H.R. 987</a>	02/06/2019		
Strengthening Health Care and Lowering Prescription Drug Costs Act	Rep. Lisa Blunt Rochester (D-DE-At Large)	Senate - 05/20/2019 Committee on Health, Education, Labor, and Pensions	??? Requires HI whether inc Medicare b treatment.
<a href="#">H.R. 448</a>	01/10/2019		
Medicare Drug Price Negotiation Act	Rep. Elijah E. Cummings (D-MD-7)	09/25/2019 Subcommittee Hearings Held	??? Requires CI manufactur appropriate lowest of th pursuant to during the i the United   or (3) the b 1927(c)(1)(

Bill No. <a href="#">H.R. 275</a>	Introduced	Status	Summary of Sel
	01/08/2019		
Medicare Prescription Drug Price Negotiation Act of 2019	Rep. Peter Welch (D-VT-At Large)	09/25/2019 Subcommittee Hearings Held	???Requires CI companies Medicare.

[1] The charts above summarize selected drug pricing bills put forth in the 116th Congress. Although these lists are not exhaustive, they provide examples of the types of price-regulating measures under consideration. These bills were identified by searching congress.gov for the terms “drug pricing” and “drug price.”

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