

Policy Tracker Archive

118th United States Congress (Q1: January 1st– March 31st, 2023)

Purported Policy Intent	Policy Mechanisms	Proposals	Source
Accountability and Oversight	Ensure 340B program is providing care for the low-income patients it is intended to serve	[Drug Pricing Transparency and Accountability Act; Introduced 01/09/2023] To increase reporting and transparency requirements so that new non-rural hospitals and child sites can participate in the 340B drug program. Under this two-year moratorium, covered entity hospitals must report the hospital's aggregate annual revenue from drugs purchased under the program, any dispensing fees paid by the hospital or child site to contract pharmacies for such drugs, the percent of total revenues derived from injections or infusions of physician-administered drugs to the Secretary of Health and Human Services, who will then make this report available to the public.	Rep. Rosendale (R-MT)
Accountability and Oversight	Establish evidence-based measures of quality	[Increasing Transparency in Generic Drug Applications Act; introduced 03/14/2023] To require manufacturers to provide scientific jurisdiction that demonstrates bioequivalence based on quantitative or qualitative criteria to the inactive ingredient of a listed drug.	Sen. Hassan (D-NH)
Accountability and Oversight	PBM Transparency	[Pharmacy Benefit Manager Transparency Act of 2023; Introduced 01/26/2023] To prevent unfair and deceptive acts or practices and the distribution of incorrect information related to pharmacy benefit management (PBM) services for prescription drugs, and for other purposes. PBMs will report the Commission the aggregate amount of any generic effective rate charged to each pharmacy, direct and indirect remuneration fee charged or other price concession to each pharmacy, and payment rescinded from a reimbursement made to each pharmacy.	Sen. Cantwell (D-WA)
Accountability and Oversight	PBM Transparency	[Drug Price Transparency in Medicaid Act of 2023; Introduced 03/17/2023] To improve transparency and prevent the use of abusive spread pricing and related practices in the Medicaid program by requiring pass-through pricing. Pass-through pricing will establish a	Rep. Carter (R-GA)

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		contract between the State and a pharmacy benefit manager (PBM) or entity that includes provisions making the entity responsible for coverage of covered outpatient drugs dispensed to individuals enrolled with the entity. The entity or PBM will publicly report payments related to the covered outpatient drugs and accompanying administrative services incurred, received, or made by the entity or PBM including all costs and any form of price spreading (if there is any charge in excess of the amount paid to the pharmacies on behalf of the entity).	
Accountability and Oversight	Provider Transparency	[Health Care Price Transparency Act; Introduced 01/20/2023] To require as many as 300 of the Center of Medicare and Medicaid Services to publicly disclose the specified shoppable services that are provided by the hospital, including the rate at which a hospital provides and bills for that shoppable service. Hospitals will have to maintain an internet-based price estimator tool that reflects these services, otherwise a civil monetary fine will be instated.	Rep. Davidson (R-OH)
Accountability and Oversight	Provider Transparency	[Hospital Transparency Compliance Enforcement Act; Introduced 02/15/2023] To enforce compliance in hospital price transparency, otherwise instating a fine on hospitals that do not maintain accordance to these rules.	Sen. Kennedy (R-LA)
Foster Competition	Limit anticompetitive behaviors by manufacturers	[Preserve Access to Affordable Generics and Biosimilars Act; Introduced 01/30/2023] To prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and to prohibit biological product manufacturers from compensating biosimilar and interchangeable companies to delay the entry of biosimilar biological products and interchangeable biological products.	Sen. Klobuchar (D-MN)
Foster Competition	Limit anticompetitive behaviors by manufacturers	[Affordable Prescriptions for Patients Act of 2023; Introduced 01/30/2023] To prohibit manufacturers from switching to a follow-on product that is covered by a later-expiring patent once a patent on a reference drug (or biological product) expires. Under this bill, a follow-on product is a modified	Sen. Cornyn (R-TX)

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		version of the reference drug that has an indication (what the drug is used for) that is identical or substantially similar to an indication of the reference drug, which is also known as product hopping.	
Foster Competition	Limit anticompetitive behaviors by manufacturers	[Increasing Prescription Drug Competition Act; Introduced 03/01/2023] To prohibit the sponsor or holder of an approved application from allowing the sponsor of another application to use the patent, trade secret, or any other intellectual property to hinder competition.	Sen. Hassan (D-NH)
Reduce costs and improve access for patients	Lower OOP costs	[Cap Insulin Prices Act; Introduced 01/30/2023] To reduce the price of insulin for patients.	Sen. Hawley (R-MO)
Reduce costs and improve access for patients	Lower OOP costs	[HELP Copays Act; Introduced 02/06/2023] To amend title XXVII of the Public Health Service Act to apply additional payments, discounts, and other financial assistance towards the cost-sharing requirements of health insurance plans, and for other purposes.	Rep. Carter (R-GA)
Reduce costs and improve access for patients	Lower OOP costs	[Affordable Insulin Now Act; Introduced 03/09/2023] To amend title XXVII of the Public Health Service Act, the Internal Revenue Code of 1986, and the Employee Retirement Income Security Act of 1974 to establish requirements with respect to cost-sharing for certain insulin products, and for other purposes.	Rep. Craig (D-MN)
Reduce costs and improve access for patients	Lower OOP costs	[Making Insulin Affordable for All Children Act; Introduced 03/14/2023] To provide for appropriate cost-sharing for individuals 26 years of age or younger for insulin products covered under private health plans and Medicaid.	Rep. Landsman (D-OH)
Reduce costs and improve access for patients	Lower OOP costs	[MORE Savings Act; Introduced 03/15/2023] To promote affordable access to evidence-based opioid treatments under the Medicare program and require coverage of medication assisted treatment for opioid use disorders, opioid overdose reversal medications, and recovery support services by health plans without cost-sharing requirements.	Sen. Casey (D-PA)