

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.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2021

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

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.”.

○