

116TH CONGRESS
2D SESSION

H. R. 5894

To direct the Secretary of Health and Human Services to issue guidance requiring the list prices of drugs to be included in advertisements for such drugs.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2020

Ms. DAVIDS of Kansas (for herself, Ms. SLOTKIN, and Ms. FINKENAUER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Secretary of Health and Human Services to issue guidance requiring the list prices of drugs to be included in advertisements for such drugs.

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 “Transparency in Pre-
5 scription Drug Advertising Act”.

6 **SEC. 2. PRICING TRANSPARENCY IN DRUG ADVERTISING.**

7 (a) IN GENERAL.—Not later than one year after the
8 date of enactment of this Act, the Secretary of Health and
9 Human Services, in consultation with the Commissioner

1 of Food and Drugs and the Administrator of the Centers
2 for Medicare & Medicaid Services, shall issue department-
3 wide guidance requiring the list prices of drugs to be in-
4 cluded, as appropriate, in all advertising of drugs, includ-
5 ing by means of television, newspapers, the internet, or
6 other media.

7 (b) ENFORCEMENT; CONSISTENCY.—The guidance
8 under subsection (a)—

9 (1) shall include appropriate enforcement mech-
10 anisms for failure to make disclosures in accordance
11 with the guidance; and

12 (2) should be consistent with the regulation of
13 the Centers for Medicare & Medicaid Services re-
14 lated to drug pricing transparency.

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