

118TH CONGRESS
2D SESSION

H. R. 7970

To require direct-to-consumer advertisements for prescription drugs and biological products to include truthful and not misleading pricing information.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2024

Ms. WILLIAMS of Georgia (for herself and Ms. PORTER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require direct-to-consumer advertisements for prescription drugs and biological products to include truthful and not misleading pricing information.

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 “Plain Prescription
5 Prices Act”.

1 **SEC. 2. REGULATING ADVERTISEMENTS FOR PRESCRIP-**
2 **TION DRUG AND BIOLOGICAL PRODUCT**
3 **PRICES.**

4 (a) **IN GENERAL.**—Not later than one year after the
5 date of the enactment of this Act, the Secretary of Health
6 and Human Services, acting through the Administrator of
7 the Centers for Medicare & Medicaid Services (referred to
8 in this section as the “Administrator”), shall promulgate
9 regulations requiring each direct-to-consumer advertise-
10 ment on television (including broadcast, cable, streaming,
11 and satellite television) for a prescription drug or biologi-
12 cal product for which payment is available under title
13 XVIII or XIX of the Social Security Act to include a tex-
14 tual statement, which shall be truthful and not misleading,
15 indicating the list price, as determined on the first day
16 of the quarter during which the advertisement is being
17 aired or otherwise broadcast, for a typical 30-day regimen
18 or typical course of treatment (whichever is most appro-
19 priate).

20 (b) **DETERMINATIONS.**—In promulgating regulations
21 under subsection (a), the Administrator shall determine—

22 (1) whether such regulations should apply with
23 respect to additional forms of advertising;

24 (2) the manner and format of textual state-
25 ments described in such subsection;

26 (3) appropriate enforcement mechanisms; and

- 1 (4) whether such textual statements should in-
- 2 clude any other price information, as appropriate.

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