

111TH CONGRESS
2^D SESSION

H. RES. 1311

Expressing support for the charitable collection and good samaritan distribution to uninsured, low-income Americans of Food and Drug Administration-approved, medically appropriate, non-expired, non-narcotic prescription medications by non-profit organizations licensed to dispense such medications.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2010

Mr. COHEN (for himself and Mr. FARR) submitted the following resolution; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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

RESOLUTION

Expressing support for the charitable collection and good samaritan distribution to uninsured, low-income Americans of Food and Drug Administration-approved, medically appropriate, non-expired, non-narcotic prescription medications by non-profit organizations licensed to dispense such medications.

Whereas millions of Americans are uninsured or underinsured;

Whereas millions of Americans struggle daily to manage their health including serious chronic diseases like asthma, diabetes, heart disease, cancer, stroke, and arthritis;

Whereas over 100,000,000 Americans have incomes below 200 percent of the Federal poverty level and cannot afford essential medications;

Whereas billions of dollars worth of in-date, usable medicine is unnecessarily wasted in the United States health care system each year; and

Whereas pharmaceutical manufacturers' humanitarianism and philanthropy expresses itself in billions of dollars annually in medication that assists low-income Americans: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) encourages pharmaceutical manufacturers,
3 health care professionals, and institutions providing
4 health care to make charitable donations of Food
5 and Drug Administration-approved, medically appropriate,
6 non-expired, non-narcotic prescription medications to non-profit
7 organizations whose primary
8 mission is to fill prescriptions for low-income Americans;
9 cans;

10 (2) supports exempting pharmaceutical companies
11 from civil or criminal liability arising from the
12 donation of medications that the pharmaceutical
13 companies donate in good faith to non-profit organizations
14 for ultimate distribution to needy individuals,
15 assuming there is no gross negligence or intentional
16 misconduct on the part of the pharmaceutical company;
17 and

1 (3) encourages the Secretary of the Department
2 of Health and Human Services to convene a working
3 group of appropriate officers and employees of the
4 Department of Health and Human Services to de-
5 velop plans to facilitate the creation and operation of
6 non-profit organizations able to achieve the goals of
7 this resolution.

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