

AMENDMENT TO
RULES COMMITTEE PRINT 116-41
OFFERED BY MS. FINKENAUER OF IOWA

Add at the end of the bill the following new section
(and conform the table of contents accordingly):

1 **SEC. 812. REQUIREMENT THAT DIRECT-TO-CONSUMER AD-**
2 **VERTISEMENTS FOR PRESCRIPTION DRUGS**
3 **AND BIOLOGICAL PRODUCTS INCLUDE**
4 **TRUTHFUL AND NON-MISLEADING PRICING**
5 **INFORMATION.**

6 Part A of title XI of the Social Security Act, as
7 amended by section 401, is further amended by adding
8 at the end the following new section:

9 **“SEC. 1150E. REQUIREMENT THAT DIRECT-TO-CONSUMER**
10 **ADVERTISEMENTS FOR PRESCRIPTION**
11 **DRUGS AND BIOLOGICAL PRODUCTS IN-**
12 **CLUDE TRUTHFUL AND NON-MISLEADING**
13 **PRICING INFORMATION.**

14 “(a) IN GENERAL.—The Secretary shall require that
15 each direct-to-consumer advertisement for a prescription
16 drug or biological product for which payment is available
17 under title XVIII or XIX includes an appropriate dislo-

1 sure of truthful and non-misleading pricing information
2 with respect to the drug or product.

3 “(b) DETERMINATION BY CMS.—The Secretary, act-
4 ing through the Administrator of the Centers for Medicare
5 & Medicaid Services, shall determine the components of
6 the requirement under subsection (a), such as the forms
7 of advertising, the manner of disclosure, the price point
8 listing, and the price information for disclosure.”

