

116TH CONGRESS
1ST SESSION

H. R. 1409

To promote transparency in health care pricing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2019

Mr. PERLMUTTER (for himself, Mr. GALLAGHER, Mrs. TORRES of California, Ms. NORTON, Mr. KRISHNAMOORTHY, Mr. NEGUSE, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Oversight and Reform, 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 promote transparency in health care pricing, 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 “Transparency in All
5 Health Care Pricing Act of 2019”.

6 **SEC. 2. TRANSPARENCY IN ALL HEALTH CARE PRICING.**

7 (a) IN GENERAL.—Any and all individuals or busi-
8 ness entities, including hospitals, physicians, nurses, phar-

1 macies, pharmaceutical manufacturers, dentists, and the
2 insurance entities described in subsection (d), and any
3 other health care related providers or issuers that offer
4 or furnish health care related items, products, services, or
5 procedures (as defined by the Secretary of Health and
6 Human Services) for sale to the public shall publicly dis-
7 close, on a continuous basis, all prices for such items,
8 products, services, or procedures in accordance with this
9 section.

10 (b) MANNER OF DISCLOSURE.—The disclosure re-
11 quired under subsection (a) shall—

12 (1) be made in an open and conspicuous man-
13 ner;

14 (2) be made available at the point of purchase,
15 in print, and on the internet; and

16 (3) include all wholesale, retail, subsidized, dis-
17 counted, or other such prices the individuals or busi-
18 ness entities described in such subsection accept as
19 payment in full for items, products, services, or pro-
20 cedures such individuals or business entities furnish
21 to individual consumers.

22 (c) PENALTIES.—The Secretary of Health and
23 Human Services may investigate any and all individuals
24 or business entities that fail to comply with the require-
25 ments of this section and may impose on such individuals

1 or business entities civil fines, or other civil penalties, as
2 determined appropriate by the Secretary.

3 (d) INSURANCE ENTITY DESCRIBED.—For purposes
4 of this section, an insurance entity includes a health insur-
5 ance issuer with respect to the offering of health insurance
6 coverage, including in the individual market and small and
7 large group market (as such terms are defined in section
8 2791 of the Public Health Service Act), a plan sponsor
9 with respect to the offering of a group health plan (as
10 defined in such section 2791), and entities responsible for
11 the administration of governmental health plans (includ-
12 ing the Centers for Medicare & Medicaid Services with re-
13 spect to the Medicare program under title XVIII of the
14 Social Security Act, State agencies responsible for admin-
15 istration of State plans under the Medicaid program under
16 title XIX of such Act, or State child assistance plans
17 under the State Children’s Health Insurance Program
18 under title XXI of such Act, and the Office of Personnel
19 Management with respect to the Federal Employees
20 Health Benefits Program under chapter 89 of title 5,
21 United States Code).

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