

111TH CONGRESS  
2D 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.

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## 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

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## 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 mission is to fill prescriptions for  
8       low-income Americans;  
9       cans;

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

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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