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(Original Signature of Member)

111TH CONGRESS
2D SESSION

H. R.

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

IN THE HOUSE OF REPRESENTATIVES

Mr. KAGEN introduced the following bill; which was referred to the Committee
on _____

A BILL

To provide for 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 2010”.

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-
9 macies, pharmaceutical manufacturers, dentists, and the

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

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

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

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

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

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