Summary: Requires prescription drug manufacturers and distributors to report to the Secretary the information pertaining to drug samples currently being collected internally, as required under the Federal Food, Drug and Cosmetic Act.

Next steps:
- April 1, 2012 – First annual report from manufacturers and authorized distributors submitted to the Secretary

Additional information:
- Bureau of National Affairs (BNA) Health Care Fraud report detailing changes -- [link](http://www.mcguirewoods.com/news-resources/publications/health_care/BNA%20Health%20Care%20Reform.pdf)
- British Medical Journal (BMJ) article regarding transparency -- [link](http://www.bmj.com/cgi/content/full/338/feb03_2/b211)

Long summary:
Sec. 6004. Prescription drug sample transparency.
Requires drug manufacturers or authorized distributors to report to the Secretary the information they are now required to collect in regard to the drug samples distributed to requesting licensed practitioners. Such information shall include the identity and quantity of drug samples requested and the identity and quantity of drug samples distributed under such subsection during that year, aggregated by (1) the name, address, professional designation, and signature of the practitioner making the request or of any individual who makes or signs for the request on behalf of the practitioner; and (2) any additional information determined appropriate by the Secretary.

Legislative text:
SEC. 6004. PRESCRIPTION DRUG SAMPLE TRANSPARENCY.
"(a) IN GENERAL.—Not later than April 1 of each year (beginning with 2012), each manufacturer and authorized distributor of record of an applicable drug shall submit to the Secretary (in a form and manner specified by the Secretary) the following information with respect to the preceding year:
(1) In the case of a manufacturer or authorized distributor of record which makes distributions by mail or common carrier under subsection (d)(2) of section 503 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353), the identity and quantity of drug samples requested and the identity and quantity of drug samples distributed under such subsection during that year, aggregated by—
(A) the name, address, professional designation, and signature of the practitioner making the request under subparagraph (A)(i) of such subsection, or of any individual who makes or signs for the request on behalf of the practitioner; and
(B) any other category of information determined appropriate by the Secretary.
(2) In the case of a manufacturer or authorized distributor of record which makes distributions by means other than mail or common carrier under subsection (d)(3) of such section 503, the identity and quantity of drug samples requested and the identity and quantity of drug samples distributed under such subsection during that year, aggregated by—
(A) the name, address, professional designation, and signature of the practitioner making the request under subparagraph (A)(i) of such subsection, or of any individual who makes or signs for the request on behalf of the practitioner; and
(B) any other category of information determined appropriate by the Secretary."
“(b) DEFINITIONS.—In this section:

“(1) APPLICABLE DRUG.—The term ‘applicable drug’ means a drug—

“(A) which is subject to subsection (b) of such section 503; and

“(B) for which payment is available under title XVIII or a State plan under title XIX or XXI (or a waiver of such a plan).

“(2) AUTHORIZED DISTRIBUTOR OF RECORD.—The term ‘authorized distributor of record’ has the meaning given that term in subsection (e)(3)(A) of such section.

“(3) MANUFACTURER.—The term ‘manufacturer’ has the meaning given that term for purposes of subsection (d) of such section.”.