

AMENDMENT TO RULES COMMITTEE PRINT 115-

10

OFFERED BY MR. McEACHIN OF VIRGINIA

Page 7, line 19, insert “(A) IN GENERAL.—” before
“A health care provider”.

Page 7, insert after line 25 the following:

1 (b) EXCEPTION.—Subsection (a) does not apply in
2 the case of a health care provider who—

3 (1) administers, dispenses, or prescribes a med-
4 ical product for a use that has not been approved,
5 cleared, or licensed by the Food and Drug Adminis-
6 tration under the Federal Food, Drug, and Cosmetic
7 Act or the Public Health Service Act; or

8 (2) engages in any fraudulent conduct per-
9 taining to the administering, dispensing, or pre-
10 scribing of a medical product, including any such
11 conduct for which the health care provider receives
12 any thing of value from the manufacturer, dispenser,
13 or seller of the medical product.

Page 11, line 3, insert after “or local government;”
the following: “which arises out of the administering, dis-
pensing, or prescribing by a health care provider of a

medical product for a use that has not been approved, cleared, or licensed by the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act or the Public Health Service Act; which arises out of any fraudulent conduct by a health care provider pertaining to the administering, dispensing, or prescribing, including any such conduct for which the health care provider receives any thing of value from the manufacturer, dispenser, or seller of a medical product;”.

