AMENDMENT TO THE SENATE AMENDMENT TO
H.R. 5376
OFFERED BY MR. MURPHY OF NORTH CAROLINA

At the end of title I, add the following:

Subtitle E—Ensuring Patient Access to Drugs and Biological Products That Treat Serious Conditions

SEC. 14001. ENSURING PATIENT ACCESS TO DRUGS AND BIOLOGICAL PRODUCTS THAT TREAT SERIOUS CONDITIONS.

Section 1192(e)(3) of the Social Security Act, as added by section 11001, is amended by adding at the end the following new subparagraphs:

“(D) SIX PROTECTED CLASSES.—A covered part D drug in a category or class that is identified under section 1860D–4(b)(3)(G)(iv).

“(E) BREAKTHROUGH THERAPIES.—A drug or biological product designated under section 506(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356(a)) as a breakthrough therapy and approved under section 505 of such Act (21 U.S.C. 355) or section 351
of the Public Health Service Act (42 U.S.C. 262).”.

SEC. 14002. REDUCTION OF ADDITIONAL IRS FUNDING FOR ENFORCEMENT AND OPERATIONS.

Section 10301(1)(A) of this Act is amended—

(1) in clause (ii), by striking “$45,637,400,000” and inserting “$10,326,400,000”; and

(2) in clause (iii), by striking “$25,326,400,000” and inserting “$326,400,000”. 