AMENDMENT TO H.R. 8373

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Page 2, strike lines 5 through 15, and insert the following:

(2) Contraceptive.—The term "contracep-1 2 tive" means any drug, device, or biological product 3 intended for use in the prevention of pregnancy, 4 whether specifically intended to prevent pregnancy 5 or for other health needs, that is legally marketed 6 under the Federal Food, Drug, and Cosmetic Act, 7 such as oral contraceptives, long-acting reversible 8 contraceptives, emergency contraceptives, internal 9 and external condoms, injectables, vaginal barrier 10 methods, transdermal patches, and vaginal rings, or 11 other contraceptives.

Page 2, strike lines 20 through 25, and insert the following:

12 (4) HEALTH CARE PROVIDER.—The term
13 "health care provider" means, with respect to a
14 State, any entity or individual (including any physician, certified nurse-midwife, nurse, nurse practitioner, physician assistant, and pharmacist) that is

- 1 licensed or otherwise authorized by the State to pro-
- 2 vide health care services.
- Page 3, lines 14 and 15, strike "nation" and insert "Nation".
- Page 3, line 21, strike the semicolon and insert a period.
- Page 3, line 20, strike "Constitutional" and insert "constitutional".
- Page 3, line 25, strike the semicolon and insert a period.
- Page 4, line 22, strike "It is" and insert "Contraception is".
- Page 4, line 23, strike ", is" and insert "and many contraceptives are".
- Page 4, line 25, strike ", and decreases" and insert "and decrease".
- Page 5, line 4, strike the semicolon and insert a period.
- Page 5, line 20, strike "barriers exacerbated" and insert "barriers—exacerbated".
- Page 5, line 21, strike "inequities to" and insert "inequities—to".

- Page 6, line 14, strike "commerce clause" and insert "Commerce Clause".
- Page 7, lines 10 and 12, strike "Medicaid" each place it appears and insert "the Medicaid program".
- Page 7, lines 12 and 13, strike "federal" and insert "Federal".
 - Page 7, line 19, strike "that most".
 - Page 7, line 20, insert "to" before "provide".
- Page 7, beginning on line 20, strike "preventive health care" and insert "preventive services".
- Page 8, strike lines 3 through 9, and insert the following:
- 1 (22) As of 2022, at least 4 States tried to ban 2 access to some or all contraceptives by restricting 3 access to public funding for these products and serv-4 ices. Furthermore, Arkansas, Mississippi, Missouri, 5 and Texas have infringed on people's ability to ac-6 cess their contraceptive care by violating the free 7 choice of provider requirement under the Medicaid 8 program.
- Page 10, line 4, strike "are provided" and insert "is provided".

Page 10, line 8, strike "(e)" and insert "(c)".

Page 11, strike lines 15 through 20, and insert the following:

- 1 (b) LIMITATIONS.—The provisions of this Act shall
- 2 not supersede or otherwise affect any provision of Federal
- 3 law relating to coverage under (and shall not be construed
- 4 as requiring the provision of specific benefits under) group
- 5 health plans or group or individual health insurance cov-
- 6 erage or coverage under a Federal health care program
- 7 (as defined in section 1128B(f) of the Social Security Act
- 8 (42 U.S.C. 1320a-7b(f))), including coverage provided
- 9 under section 1905(a)(4)(C) of the Social Security Act (42
- 10 U.S.C. 1396d(a)(4)(C)) and section 2713 of Public Health
- 11 Service Act (42 U.S.C. 300gg-13).

Page 12, lines 7 through 12, amend subsection (b) to read as follows:

- 12 (b) Rules of Construction.—Nothing in this Act
- 13 shall be construed—
- 14 (1) to authorize any government to interfere
- with a health care provider's ability to provide con-
- traceptives or information related to contraception
- or a patient's ability to obtain contraceptives or to
- 18 engage in contraception; or

- 1 (2) to permit or sanction the conduct of any 2 sterilization procedure without the patient's vol-3 untary and informed consent.
- Page 12, line 25, strike "section 3" and insert "section 4".

