AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 133

OFFERED BY M__. _____

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mandating Exclusive Review of Individual Treatments Act'' or the ''MERIT Act''.

SEC. 2. CLARIFICATION ON MEDICARE NATIONAL COVERAGE DETERMINATION PROCESS.

Section 1862(a) of the Social Security Act (42 U.S.C. 1395y(a)) is amended by adding at the end the following new sentence: ''For purposes of paragraph (1)(E), with respect to a determination made on or after the date of the enactment of this sentence of whether a drug or biological is reasonable and necessary to carry out the purposes of such section, such determination shall be made with respect to each drug or biological involved and not with respect to a class of drugs or biologicals.''.