

AMENDMENT TO H.R. 1499

OFFERED BY M .

[Page/line numbers refer to committee print dated March 28, 2019]

Page 2, line 24, through page 3, line 5, strike subparagraph (B) (and make such conforming changes as may be necessary).

Page 12, after line 8, insert the following new subsection (and make such conforming changes as may be necessary):

1 (e) FEDERAL TRADE COMMISSION RULEMAKING.—
2 The Commission may, in its discretion, by rule promul-
3 gated under section 553 of title 5, United States Code,
4 exempt from this section certain agreements described in
5 subsection (a) if the Commission finds such agreements
6 to be in furtherance of market competition and for the
7 benefit of consumers.

Page 13, strike lines 7 through 14 (and make such conforming changes as may be necessary).

Page 15, beginning on line 7, strike “approved” and insert “filed”.

Page 16, line 23, strike “licensure of applications” and insert “licensing of biologics license applications”.

Page 17, beginning on line 9, strike “a new drug application” and all that follows through “(b)(2)” on line 11 and insert the following: “a new drug application submitted pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act (21U.S.C. 355(b)(2)) and filed under section 505(b)(1) of such Act (21 U.S.C. 355(b)(1))”.

Page 17, strike line 21 and all that follows through page 18, line 2 and insert the following:

1 (g) EFFECTIVE DATE.—This section applies with re-
2 spect to agreements described in subsection (a) entered
3 into on or after the date of the enactment of this Act.

