

House of Representatives  
**Committee on Energy and Commerce**  
116<sup>th</sup> CONGRESS, SECOND SESSION  
**SUBCOMMITTEE ON HEALTH  
MARKUP**

**WEDNESDAY, MARCH 11, 2020**

The Subcommittee on Health met, pursuant to notice, in open markup session at 10 a.m. on Wednesday, March 11, 2020, in the John D. Dingell Room, 2123 of the Rayburn House Office Building, Ms. Eshoo, *the chairwoman*, presiding. The markup session convened at 10:06 a.m. to consider 13 bills pending before the subcommittee. The following actions were taken:

1. **H.R. 5279**, the “Cosmetic Safety Enhancement Act of 2019”, (*Rep. Pallone (D-NJ)*), was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendments were offered during consideration of H.R. 5279:

- **An amendment in the nature of a substitute (AINS)** (PALLON\_033), # 1, offered by Mr. Pallone, was agreed to, amended, by a voice vote. Prior to its approval, the following amendments were offered to the Pallone AINS # 1:
  - **Amendment # 1a** (SMALL-EXCEPTION\_01), offered by Mr. Burgess, was subsequently withdrawn;
  - **Amendment # 1b** (CONSULT\_01), offered by Mr. Rush and Ms. Blunt Rochester, was agreed to by a voice vote;
  - **Amendment #1c** (DINGELL\_01), offered by Mrs. Dingell and Ms. Kuster, was agreed to by a voice vote; *and*
  - **Amendment # 1d** (DINGELL\_02), offered by Mrs. Dingell, was subsequently withdrawn.

2. **H.R. 5668**, the “Making Objective Drug Evidence Revisions for New (MODERN) Labeling Act of 2020”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendment was offered during consideration of H.R. 5668:

- **Amendment # 1** (MGRS\_01), offered by Ms. Matsui, was agreed to by a voice vote.

3. **H.R. 5663**, the “Safeguarding Therapeutics Act”, was forwarded favorably to the full Committee, **without amendment**, by a voice vote.

No amendments were offered during consideration of H.R. 5663.

4. **H.R. 4712**, the “Fairness in Orphan Drug Exclusivity Act”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendment was offered during consideration of H.R. 4712:

- **Amendment # 1** (H4712-FCD-AMD\_01) offered by Ms. Eshoo, was agreed to by a voice vote.

5. **H.R. 2117**, the “Food Allergy Safety, Treatment, Education, and Research Act of 2019” or the “FASTER Act of 2019”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendment was offered during consideration of H.R. 2117:

- **Amendment in the nature of a substitute (AINS) # 1** (H2117\SC\AINS\_01), offered by Ms. Matsui, was agreed to by a voice vote.

6. **H.R. 2468**, the “School-Based Allergies and Asthma Management Program Act”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendment was offered during consideration of H.R. 2468:

- **Amendment in the nature of a substitute (AINS) # 1** (HOYER\_027), offered by Ms. Eshoo, was agreed to by a voice vote.

7. **H.R. 4866**, the “National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act of 2019”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendment was offered during consideration of H.R. 4866:

- **Amendment # 1 (manager’s amendment)** (D-MGRS\_01), offered by Mr. Pallone, was agreed to by a voice vote.

8. **H.R. 2271**, the “Scarlett’s Sunshine on Sudden Unexpected Death Act”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendment was offered during consideration of H.R. 2271:

- **Amendment in the nature of a substitute (AINS) # 1** (H2271\SC\D-AINS\_01), offered by Ms. Blunt Rochester, was agreed to by a voice vote.

9. **H.R. 4801**, the “Healthy Start Reauthorization Act of 2019”, was forwarded favorably to the full Committee, **without amendment**, by a voice vote.

No amendments were offered during consideration of H.R. 4801.

10. **H.R. 1379**, the “Ensuring Lasting Smiles Act”, was forwarded favorably to the full Committee, **without amendment**, by a voice vote.

No amendments were offered during consideration of H.R. 1379.

**11. H.R. 2477**, the “Beneficiary Enrollment Notification and the Eligibility Simplification (BENES) Act of 2019”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendments were offered during consideration of H.R. 2477:

- **Amendment in the nature of a substitute (AINS) # 1** (H2477-AINS\_01), offered by Mr. Ruiz, was agreed to by a voice vote;
- **Amendment to the Ruiz AINS # 1** (SCHRAD\_045), offered by Mr. Schrader, was subsequently withdrawn.

**12. H.R. 5534**, the “Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act”, was forwarded favorably to the full Committee, **amended**, by a voice vote.

The following amendment was offered during consideration of H.R. 5534:

- **Amendment in the nature of a substitute (AINS) # 1** (H5534-SC-ANS\_01), offered by Mr. Burgess, was agreed to by a voice vote.

**13. H.R.3935**, the “Protecting Patients Transportation to Care Act”, was forwarded favorably to the full Committee, **without amendment**, by a voice vote.

No amendments were offered during consideration of H.R. 3935.

Whereupon, there being no further business, the Subcommittee adjourned at 12:51 p.m., subject to the call of the chair.

*Sharon E. Davis*

Chief Clerk

Committee on Energy and Commerce

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