

114TH CONGRESS
2D SESSION

S. 2978

To amend title XI of the Social Security Act to exempt certain transfers used for educational purposes from manufacturer transparency reporting requirements.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2016

Mr. BARRASSO introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XI of the Social Security Act to exempt certain transfers used for educational purposes from manufacturer transparency reporting requirements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Continuing
5 Physician Education and Patient Care Act”.

1 **SEC. 2. EXEMPTING FROM MANUFACTURER TRANS-**
2 **PARENCY REPORTING CERTAIN TRANSFERS**
3 **USED FOR EDUCATIONAL PURPOSES.**

4 (a) IN GENERAL.—Section 1128G(e)(10)(B) of the
5 Social Security Act (42 U.S.C. 1320a-7h(e)(10)(B)) is
6 amended—

7 (1) in clause (iii), by inserting “, including
8 peer-reviewed journals, journal reprints, journal sup-
9 plements, medical conference reports, and medical
10 textbooks” after “patient use”; and

11 (2) by adding at the end the following new
12 clause:

13 “(xiii) In the case of a covered recipi-
14 ent who is a physician, an indirect pay-
15 ment or transfer of value to the covered re-
16 cipient—

17 “(I) for speaking at, or preparing
18 educational materials for, an edu-
19 cational event for physicians or other
20 health care professionals that does not
21 commercially promote a covered drug,
22 device, biological, or medical supply;
23 or

24 “(II) that serves the sole purpose
25 of providing the covered recipient with
26 medical education, such as by pro-

1 viding the covered recipient with the
2 tuition required to attend an edu-
3 cational event or with materials pro-
4 vided to physicians at an educational
5 event.”.

6 (b) EFFECTIVE DATE.—The amendments made by
7 this section shall apply with respect to transfers of value
8 made on or after the date of the enactment of this Act.

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