

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To pause eligibility determinations under the 340B drug pricing program in light of the COVID-19 public health emergency.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.**

**H. R. 748**

To amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SASSE to the amendment (No. \_\_\_\_\_) proposed by Mr. MCCONNELL

Viz:

1 At the appropriate place in subtitle E of title III of  
2 division A, insert the following:

3 **SEC. \_\_\_\_ . PAUSING ELIGIBILITY DETERMINATIONS**  
4 **UNDER THE 340B DRUG PRICING PROGRAM.**

5 Section 340B(a) of the Public Health Service Act (42  
6 U.S.C. 256B(a)) is amended by adding at the end the fol-  
7 lowing:

8 “(11) PAUSING ELIGIBILITY DETERMINA-  
9 TIONS.—The Secretary shall, for each of fiscal years  
10 2020 and 2021, pause the process of determining

1       whether an entity is a covered entity, as defined in  
2       paragraph (4), in response to the COVID-19 public  
3       health emergency to ensure that no entity that was  
4       previously determined to be such a covered entity  
5       would lose eligibility status for the program under  
6       this section during such emergency.”.