

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 358
OFFERED BY MRS. CAPPS OF CALIFORNIA**

[Amendment to Pitts_01a]

In section 2(a)(7), in the amendment instruction adding the new subsection (g), strike “subsection” and insert “subsections”.

Insert after the subsection (g) of section 1303 of the Patient Protection and Affordable Care Act, as proposed to be added by section 2(a)(7), the following:

1 “(h) CLARIFYING APPLICATION OF ACCESS TO
2 THERAPIES PROVISION.—Notwithstanding any other pro-
3 vision of this Act, for purposes of carrying out this section,
4 the Secretary of Health and Human Services shall not
5 promulgate any regulation, and a State shall not enact
6 any law, that—

7 “(1) creates any unreasonable barriers to the
8 ability of individuals to obtain appropriate medical
9 care;

10 “(2) impedes timely access to health care serv-
11 ices;

1 “(3) interferes with communications regarding
2 a full range of treatment options between the patient
3 and the provider;

4 “(4) restricts the ability of health care pro-
5 viders to provide full disclosure of all relevant infor-
6 mation to patients making health care decisions;

7 “(5) violates the principles of informed consent
8 and the ethical standards of health care profes-
9 sionals; or

10 “(6) limits the availability of health care treat-
11 ment for the full duration of a patient’s medical
12 needs.”.

