

AMENDMENT

**OFFERED BY MR. HERGER OF CALIFORNIA
AND MR. BOUSTANY OF LOUISIANA**

Add at the end of section 1181 of the Social Security Act, as added by section 1401(a) of this bill (relating to comparative effectiveness research), the following new subsection:

1 “(i) APPLICATION OF FEDERALLY FUNDED CLIN-
2 ICAL COMPARATIVE EFFECTIVENESS RESEARCH.—The
3 Centers for Medicare & Medicaid Services may not use
4 Federally funded clinical comparative effectiveness re-
5 search data under this section to make coverage deter-
6 minations for medical treatments, services, or items under
7 title XVIII on the basis of cost.”.

