

Opening Statement  
Chairman Frank Pallone, Jr.  
Committee on Energy and Commerce  
Subcommittee on Health  
Markup of 13 Bills  
March 11, 2020

Today we are continuing with this Committee's work of putting consumers first by improving the safety of our nation's food, drugs, medical devices, and cosmetics. We are also going to strengthen coverage and benefits for Medicare and Medicaid beneficiaries.

The bills we are marking up today will take great strides toward achieving these goals. I thank my colleagues on both sides of the aisle for their hard work on these 13 proposals.

The Subcommittee will consider a number of bills aimed at empowering the Food and Drug Administration (FDA) to protect consumers and require that the products Americans utilize every day are safe and marketed with accuracy and transparency.

First, we'll consider the Cosmetic Safety Enhancement Act, which I introduced last year to improve and advance the safety of cosmetics and other personal care products. Congress has not updated FDA's authority to regulate these products in over 80 years. It is long past time that we act so that we can ensure consumers are safe and have confidence in the products they use every day.

We will also consider the MODERN Labeling Act of 2020, introduced by Representatives Matsui and Guthrie. This bill gives FDA the authority to require modifications of outdated labeling for generic drugs in order to ensure they represent accepted clinical uses.

Representatives Guthrie and Engel have a bill that would allow FDA to destroy medical devices found to be adulterated or misbranded. The FDA already does this with drugs, and this will keep potentially harmful medical devices from entering the supply chain.

We will also consider legislation I introduced with Mr. Guthrie that directs FDA to designate National Centers of Excellence in Continuous Pharmaceutical Manufacturing (NCEs). These centers will help limit drug shortages in the future while spurring a new generation of manufacturing jobs here in the U.S.

We will then mark up a number of bills that aim to improve health outcomes for kids. The first, introduced by Representative Matsui, requires the Centers for Disease Control and Prevention to expand the collection and information as to the prevalence of food allergies, and will include sesame as a major food allergen. Another bill would create a program to promote asthma and food allergy management and treatment in schools.

We will also strengthen existing efforts to better understand Sudden Unexpected Infant Death and Sudden Unexplained Death in Children. This legislation would streamline data collection

and analysis to improve prevention efforts and support for children and families. We will also consider legislation to reauthorize the Healthy Start Program to reduce infant mortality and improve perinatal outcomes.

Finally, we will consider four bills to expand coverage of vital health care programs. We will require all individual and group market health plans to cover medically necessary treatment resulting from congenital abnormalities or birth defects. We will improve outreach and education for individuals approaching Medicare eligibility. We will remove the 36-month limit for Medicare coverage of immunosuppressive drugs following a kidney transplant. And we will include transportation in the list of mandatory Medicaid benefits.

Again, I thank the all of the members for their leadership on these bills, and I urge my colleagues to support them.

I yield back.