

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 160) TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO REPEAL THE EXCISE TAX ON MEDICAL DEVICES, AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1190) TO REPEAL THE PROVISIONS OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT PROVIDING FOR THE INDEPENDENT PAYMENT ADVISORY BOARD

JUNE 16, 2015.—Referred to the House Calendar and ordered to be printed

Mr. BURGESS, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 319]

The Committee on Rules, having had under consideration House Resolution 319, by a 7 to 3 vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 160, the Protect Medical Innovation Act of 2015, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part A of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 1190, the Protecting Seniors' Access to Medicare Act of 2015, under a closed rule. The resolution provides one hour of debate equally divided among and controlled by the chairs and ranking minority members of the Committee on Ways and Means and the Committee on Energy and Commerce. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment printed in part B of this report shall be considered as adopted and the bill, as amended, shall be considered as read. The

resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 160 includes a waivers of the following:

- Section 306 of the Congressional Budget Act of 1974, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee; and
- Section 311 of the Congressional Budget Act of 1974, which prohibits consideration of legislation that would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided.

Although the resolution waives all points of order against provisions in H.R. 160, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 1190, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 1190, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 75

Motion by Ms. Slaughter to report open rules for H.R. 160 and H.R. 1190. Defeated: 3—7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole .....	.....	Mr. McGovern .....	.....
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne .....	.....	
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 76

Motion by Mr. Hastings of Florida to strike the section of the rule that self-executes the amendment by Representative Pitts amendment to H.R. 1190. Defeated: 3—7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole .....	.....	Mr. McGovern .....	.....
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		

Majority Members	Vote	Minority Members	Vote
Mr. Collins	Nay		
Mr. Byrne .....	.....	
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 77

Motion by Mr. Polis to make in order and provide the appropriate waivers for amendment #2 to H.R. 160, offered by Rep. Polis (CO), Rep. Adams (NC) and Rep. Cartwright (PA), which offsets the cost of the bill by eliminating certain tax deductions and subsidies for oil and gas companies. Defeated: 3—7

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole .....	.....	Mr. McGovern .....	.....
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne .....	.....	
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

Rules Committee record vote No. 78

Motion by Ms. Foxx to report the rule. Adopted: 7—3

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Yea	Ms. Slaughter	Nay
Mr. Cole .....	.....	Mr. McGovern .....	.....
Mr. Woodall	Yea	Mr. Hastings of Florida	Nay
Mr. Burgess	Yea	Mr. Polis	Nay
Mr. Stivers	Yea		
Mr. Collins	Yea		
Mr. Byrne .....	.....	
Mr. Newhouse	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 160 IN PART A CONSIDERED AS ADOPTED

Ryan, Paul (WI): Excludes the budgetary effects of the bill from being entered onto the Statutory Pay-As-You-Go Scorecard.

SUMMARY OF THE AMENDMENT TO H.R. 1190 IN PART B CONSIDERED AS ADOPTED

Pitts (PA): Rescinds funding from the Affordable Care Act's prevention and public health fund.

PART A—TEXT OF AMENDMENT TO H.R. 160 CONSIDERED AS ADOPTED

At the end, add the following:

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

PART B—TEXT OF AMENDMENT TO H.R. 1190 CONSIDERED AS ADOPTED

Add at the end the following new section:

SEC. 3. RESCINDING FUNDING AMOUNTS FOR PREVENTION AND PUBLIC HEALTH FUND.

Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300–11(b)) is amended—

(1) in paragraph (2), by striking “2017” and inserting “2016”;

(2) in paragraph (5)—

(A) by striking “2022” and inserting “2026”; and

(B) by redesignating such paragraph as paragraph (7);

and

(3) by striking paragraphs (3) and (4) and inserting the following:

“(3) for fiscal year 2017, \$390,000,000;

“(4) for each of fiscal years 2018 and 2019, \$487,000,000;

“(5) for each of fiscal years 2020 and 2021, \$585,000,000;

“(6) for each of fiscal years 2022 through 2025, \$780,000,000; and”.