

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To prohibit the Secretary of Health and Human Services from restricting direct access by health care facilities to medical countermeasures.

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IN THE SENATE OF THE UNITED STATES

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Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## **A BILL**

To prohibit the Secretary of Health and Human Services from restricting direct access by health care facilities to medical countermeasures.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Treatment Restoration  
5 for Every American’s Trial Act” or the “TREAT Act”.

6 **SEC. 2. PROHIBITION ON RESTRICTIONS ON DIRECT AC-**  
7 **CESS TO MEDICAL COUNTERMEASURES.**

8 (a) IN GENERAL.—Notwithstanding any other provi-  
9 sion of law, the Secretary of Health and Human Services  
10 may not implement any policy that would restrict hospitals

1 or other appropriate health care facilities from ordering  
2 and receiving medical countermeasures, including biologi-  
3 cal products, drugs, and devices, directly from manufac-  
4 turers and distributors of such countermeasures.

5 (b) DEFINITION.—In this section, the term “medical  
6 countermeasure” has the meaning given the term “quali-  
7 fied countermeasure” in section 319F–1 of the Public  
8 Health Service Act (42 U.S.C. 247d–6a).