

# Union Calendar No. 362

112<sup>TH</sup> CONGRESS  
2D SESSION

# H. R. 436

[Report No. 112-514]

To amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2011

Mr. PAULSEN (for himself, Mr. ALTMIRE, Mr. LEE of New York, Mr. GERLACH, Mr. REICHERT, Mr. LANCE, Mrs. McMORRIS RODGERS, Mr. ROGERS of Michigan, Mr. BILBRAY, Mr. KLINE, Mr. CRAVAACK, Mrs. BACHMANN, Mr. AKIN, Mr. BARTLETT, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. COLE, Mr. CRAWFORD, Mr. DENT, Mrs. ELLMERS, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. GOODLATTE, Mr. GUINTA, Mr. HARRIS, Mr. LAMBORN, Mr. LANKFORD, Mr. MARCHANT, Mr. McCLINTOCK, Mr. NEUGEBAUER, Mr. NUGENT, Mr. POE of Texas, Mr. ROE of Tennessee, Mrs. SCHMIDT, Mr. STUTZMAN, Mr. WALSH of Illinois, and Mr. YOUNG of Indiana) introduced the following bill; which was referred to the Committee on Ways and Means

JUNE 5, 2012

Additional sponsors: Mr. CALVERT, Mr. CAPUANO, Mr. DOLD, Mr. GARDNER, Mr. ROSS of Florida, Mr. PRICE of Georgia, Mrs. MILLER of Michigan, Mr. ROSKAM, Mr. POSEY, Mr. STEARNS, Mr. McCOTTER, Mr. THOMPSON of Pennsylvania, Mr. GOHMERT, Mr. ROONEY, Mr. CONAWAY, Mr. FRELINGHUYSEN, Mr. MANZULLO, Mr. ROYCE, Mr. TIBERI, Mr. GOSAR, Mr. MCKINLEY, Mr. UPTON, Mr. PLATTS, Mr. GARY G. MILLER of California, Mr. LATTA, Mr. GINGREY of Georgia, Mr. ROKITA, Mrs. BONO MACK, Mr. BARTON of Texas, Mr. BOUSTANY, Mr. SCHOCK, Mr. BRADY of Texas, Mr. BERG, Mrs. BLACK, Mr. BUCHANAN, Mr. ISSA, Ms. JENKINS, Mr. OLSON, Mr. COFFMAN of Colorado, Mr. GUTHRIE, Mrs. CAPITO, Mrs. BLACKBURN, Mr. CASSIDY, Mr. BURGESS, Mr. TERRY, Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, Mr. HUNTER, Mr. SCALISE, Mr. KINZINGER of Illinois, Ms. HAYWORTH, Mr. SHIMKUS, Mr. SULLIVAN, Mr. MEEHAN, Mr. PAUL, Ms. FOXX, Mr. BUCSHON, Mr.

HECK, Mr. MARINO, Mr. WHITFIELD, Mr. SCHWEIKERT, Mr. SCOTT of South Carolina, Mr. YODER, Mr. BASS of New Hampshire, Mr. TURNER of Ohio, Mr. PENCE, Mr. SCHILLING, Mr. GRIFFIN of Arkansas, Mrs. DAVIS of California, Mr. HANNA, Mr. HURT, Mr. DUNCAN of South Carolina, Mr. CARTER, Mr. SIMPSON, Mr. DENHAM, Mrs. LUMMIS, Mr. HELLER, Mr. HARPER, Mr. HALL, Mr. MCCAUL, Mr. FINCHER, Mrs. NOEM, Mr. DAVIS of Kentucky, Mr. CRITZ, Mr. POMPEO, Mr. SENSENBRENNER, Mr. WESTMORELAND, Mr. BROOKS, Mr. CULBERSON, Mr. FARENTHOLD, Ms. GRANGER, Mr. HENSARLING, Mr. SESSIONS, Mr. PITTS, Mr. THORNBERRY, Mr. NUNNELEE, Mr. MULVANEY, Mrs. BIGGERT, Mr. CHABOT, Mr. DIAZ-BALART, Mr. YOUNG of Florida, Mr. STIVERS, Mr. MCHENRY, Mr. GIBSON, Mr. HULTGREN, Mr. AUSTIN SCOTT of Georgia, Mr. BISHOP of Utah, Ms. ROS-LEHTINEN, Mr. RUNYAN, Mr. LABRADOR, Mrs. MYRICK, Mr. QUAYLE, Mr. FORTENBERRY, Mr. AUSTRIA, Mr. BILIRAKIS, Mr. JONES, Mr. CRENSHAW, Mr. SOUTHERLAND, Mr. MACK, Mr. COBLE, Mr. MILLER of Florida, Mr. MICA, Mr. REHBERG, Mrs. HARTZLER, Mr. KING of Iowa, Mr. MATHESON, Mr. DESJARLAIS, Mr. KELLY, Mr. BENISHEK, Mr. GRIMM, Mr. FORBES, Mr. HUELSKAMP, Mr. JOHNSON of Ohio, Mr. RIBBLE, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. HUIZENGA of Michigan, Mr. WEBSTER, Mr. PALAZZO, Mr. TIPTON, Mr. WOODALL, Mr. REED, Mr. FLEISCHMANN, Mr. CANSECO, Mr. WOMACK, Mrs. ROBY, Mr. RENACCI, Mr. WILSON of South Carolina, Mr. LONG, Mr. MCINTYRE, Mr. LOBIONDO, Mr. DUNCAN of Tennessee, Mr. DONNELLY of Indiana, Mr. DANIEL E. LUNGREN of California, Mr. WALDEN, Mr. LEWIS of California, Mr. RIGELL, Mr. RIVERA, Mr. LANDRY, Mr. DUFFY, Mr. WEST, Mr. AMASH, Mr. KISSELL, Mr. ADERHOLT, Mr. ALEXANDER, Mr. AMODEI, Mr. BACHUS, Mr. BARLETTA, Mrs. EMERSON, Mr. GARRETT, Mr. KING of New York, Mr. LATOURETTE, Mr. PEARCE, Mr. WALBERG, Mr. YOUNG of Alaska, Mr. SHUSTER, Mr. SMITH of New Jersey, Mrs. ADAMS, Mr. PETRI, Mr. NUNES, Mr. GRAVES of Missouri, Mr. JOHNSON of Illinois, Mr. FITZPATRICK, Mr. TURNER of New York, Mr. MURPHY of Pennsylvania, Mr. KINGSTON, Mr. JORDAN, Mr. GALLEGLY, Mr. ROHRABACHER, Mr. ROGERS of Alabama, Mr. FLAKE, Mr. SMITH of Texas, Mr. LATHAM, Mr. ROSS of Arkansas, Ms. HERRERA BEUTLER, Mr. OWENS, Mr. WITTMAN, Mr. BOREN, and Mr. GRIFFITH of Virginia

JUNE 5, 2012

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## A BILL

To amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

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 “Protect Medical Inno-  
 5 vation Act of 2011”.

6 **SEC. 2. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

7 (a) **IN GENERAL.**—Section 4191 of the Internal Rev-  
 8 enue Code of 1986 is hereby repealed.

9 (b) **CONFORMING AMENDMENTS.**—

10 (1) Subsection (a) of section 4221 of such Code  
 11 is amended by striking the last sentence.

12 (2) Paragraph (2) of section 6416(b) of such  
 13 Code is amended by striking the last sentence.

14 (c) **CLERICAL AMENDMENT.**—The table of sub-  
 15 chapters for chapter 32 of such Code is amended by strik-  
 16 ing the item relating to subchapter E.

17 **SECTION 1. SHORT TITLE.**

18 *This Act may be cited as the “Protect Medical Innova-*  
 19 *tion Act of 2012”.*

20 **SEC. 2. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

21 (a) **IN GENERAL.**—Chapter 32 of the Internal Revenue  
 22 Code of 1986 is amended by striking subchapter E.

23 (b) **CONFORMING AMENDMENTS.**—

24 (1) Subsection (a) of section 4221 of such Code  
 25 is amended by striking the last sentence.

1           (2) *Paragraph (2) of section 6416(b) of such*  
2           *Code is amended by striking the last sentence.*

3           (c) *CLERICAL AMENDMENT.—The table of subchapters*  
4           *for chapter 32 of such Code is amended by striking the item*  
5           *relating to subchapter E.*



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