

118TH CONGRESS
1ST SESSION

S. 526

To strengthen the use of patient-experience data within the benefit-risk framework for approval of new drugs.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2023

Mr. WICKER (for himself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To strengthen the use of patient-experience data within the benefit-risk framework for approval of new drugs.

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 “Better Empowerment
5 Now to Enhance Framework and Improve Treatments Act
6 of 2023” or the “BENEFIT Act of 2023”.

1 **SEC. 2. STRENGTHENING THE USE OF PATIENT-EXPERI-**
2 **ENCE DATA WITHIN RISK-BENEFIT FRAME-**
3 **WORK.**

4 Section 569C of the Federal Food, Drug, and Cos-
5 metic Act (21 U.S.C. 360bbb–8c) is amended—

6 (1) in subsection (a)(1)—

7 (A) in subparagraph (A), by striking “;
8 and” and inserting a semicolon;

9 (B) in subparagraph (B), by striking the
10 period and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(C) as part of the risk-benefit assessment
13 framework in the new drug approval process de-
14 scribed in section 505(d), considering patient
15 experience data submitted by the medical prod-
16 uct sponsor or another party.”; and

17 (2) in subsection (b)(1), by inserting “, includ-
18 ing a description of how such data and information
19 were considered in the risk-benefit assessment de-
20 scribed in section 505(d)” before the period at the
21 end.

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