

Public Law 117–8  
117th Congress

An Act

Apr. 23, 2021  
[S. 164]

To educate health care providers and the public on biosimilar biological products,  
and for other purposes.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

Advancing  
Education on  
Biosimilars Act  
of 2021.  
42 USC 201 note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Advancing Education on  
Biosimilars Act of 2021”.

**SEC. 2. EDUCATION ON BIOLOGICAL PRODUCTS.**

Subpart 1 of part F of title III of the Public Health Service  
Act (42 U.S.C. 262 et seq.) is amended by adding at the end  
the following:

42 USC 263–1.

**“SEC. 352A. EDUCATION ON BIOLOGICAL PRODUCTS.**

“(a) INTERNET WEBSITE.—

“(1) IN GENERAL.—The Secretary may maintain and operate  
an internet website to provide educational materials for health  
care providers, patients, and caregivers, regarding the meaning  
of the terms, and the standards for review and licensing of,  
biological products, including biosimilar biological products and  
interchangeable biosimilar biological products.

“(2) CONTENT.—Educational materials provided under  
paragraph (1) may include—

“(A) explanations of key statutory and regulatory  
terms, including ‘biosimilar’ and ‘interchangeable’, and  
clarification regarding the use of interchangeable biosimilar  
biological products;

“(B) information related to development programs for  
biological products, including biosimilar biological products  
and interchangeable biosimilar biological products and rel-  
evant clinical considerations for prescribers, which may  
include, as appropriate and applicable, information related  
to the comparability of such biological products;

“(C) an explanation of the process for reporting adverse  
events for biological products, including biosimilar  
biological products and interchangeable biosimilar  
biological products; and

“(D) an explanation of the relationship between bio-  
similar biological products and interchangeable biosimilar  
biological products licensed under section 351(k) and ref-  
erence products (as defined in section 351(i)), including  
the standards for review and licensing of each such type  
of biological product.

“(3) **FORMAT.**—The educational materials provided under paragraph (1) may be—

“(A) in formats such as webinars, continuing education modules, videos, fact sheets, infographics, stakeholder tool-kits, or other formats as appropriate and applicable; and

“(B) tailored for the unique needs of health care providers, patients, caregivers, and other audiences, as the Secretary determines appropriate.

“(4) **OTHER INFORMATION.**—In addition to the information described in paragraph (2), the Secretary shall continue to publish—

“(A) the action package of each biological product licensed under subsection (a) or (k) of section 351; or

“(B) the summary review of each biological product licensed under subsection (a) or (k) of section 351.

“(5) **CONFIDENTIAL AND TRADE SECRET INFORMATION.**—This subsection does not authorize the disclosure of any trade secret, confidential commercial or financial information, or other matter described in section 552(b) of title 5.

“(b) **CONTINUING EDUCATION.**—The Secretary shall advance education and awareness among health care providers regarding biological products, including biosimilar biological products and interchangeable biosimilar biological products, as appropriate, including by developing or improving continuing education programs that advance the education of such providers on the prescribing of, and relevant clinical considerations with respect to, biological products, including biosimilar biological products and interchangeable biosimilar biological products.”.

Approved April 23, 2021.

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**LEGISLATIVE HISTORY—S. 164:**

CONGRESSIONAL RECORD, Vol. 167 (2021):

Mar. 3, considered and passed Senate.

Apr. 14, considered and passed House.

