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89TH CONGRESS
1ST SESSION

H. R. 3140

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1965

Mr. HARRIS introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases.

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

3 That this Act may be cited as the "Heart Disease, Cancer,
4 and Stroke Amendments of 1965".

5 SEC. 2. The Public Health Service Act (42 U.S.C., ch.
6 6A) is amended by adding at the end thereof the following
7 new title:

1 "TITLE IX—REGIONAL MEDICAL COMPLEXES
2 FOR RESEARCH AND TREATMENT IN HEART
3 DISEASE, CANCER, STROKE, AND OTHER
4 MAJOR DISEASES

5 "PURPOSES

6 "SEC. 900. The purposes of this title are—

7 "(a) Through grants, to encourage and assist in the
8 establishment of regionally coordinated arrangements among
9 medical schools, research institutions, and hospitals for re-
10 search and training and for demonstrations of patient care
11 in the fields of heart disease, cancer, stroke, and other major
12 diseases;

13 "(b) To afford to the medical profession and the medi-
14 cal institutions of the Nation, through such coordinated
15 arrangements, the opportunity of making available to their
16 patients the latest advances in the diagnosis and treatment
17 of these diseases; and

18 "(c) To accomplish these ends without interfering with
19 the patterns, or the methods of financing, of patient care or
20 professional practice, or with the administration of hospitals.

21 "AUTHORIZATION OF APPROPRIATIONS

22 "SEC. 901. (a) There are authorized to be appropriated
23 \$50,000,000 for the fiscal year ending June 30, 1966, and
24 such sums as may be necessary for each of the next four
25 fiscal years, for grants to assist public or nonprofit private

1 universities, medical schools, research institutions, and other
2 public or nonprofit private institutions and agencies in
3 planning, establishing, and operating regional medical com-
4 plexes for research, training, and demonstration activities
5 for carrying out the purposes of this title. Sums appro-
6 priated under this section for any fiscal year shall remain
7 available for making such grants until the end of the fiscal
8 year following the fiscal year for which the appropriation
9 is made.

10 “(b) A grant under this title shall be for part or all
11 of the cost of the planning or other activities with respect
12 to which the application is made, except that any such
13 grant with respect to construction of, or provision of built-in
14 (as determined in accordance with regulations) equipment
15 for, any facility may not exceed 90 per centum of the cost
16 of such construction or equipment.

17 “(c) Funds appropriated pursuant to this title shall
18 not be available to pay the cost of hospital, medical, or
19 other care of patients except to the extent it is, as determined
20 in accordance with regulations, incident to research, train-
21 ing, or demonstration activities.

22 “DEFINITIONS

23 “SEC. 902. For the purposes of this title—

24 “(a) The term ‘regional medical complex’ means a
25 group of public or nonprofit private institutions or agencies

1 each of which is engaged in research, training, diagnosis,
2 and treatment relating to heart disease, cancer, or stroke and,
3 at the option of the applicant, any other disease found by
4 the Surgeon General to be of major significance to the health
5 of the Nation; but only if such group—

6 “ (1) is situated within a geographic area, com-
7 posed of any part or parts of any one or more States,
8 which the Surgeon General determines, in accordance
9 with regulations, to be appropriate for carrying out the
10 purposes of this title;

11 “ (2) consists of one or more medical centers, one
12 or more categorical research centers, and one or more
13 diagnostic and treatment stations; and

14 “ (3) has in effect arrangements for the coordination
15 of the activities of its component units which the Sur-
16 geon General finds will be adequate for effectively carry-
17 ing out the purposes of this title.

18 “ (b) The term ‘medical center’ means a medical school
19 and one or more hospitals affiliated therewith for teaching,
20 research, and demonstration purposes.

21 “ (c) The term ‘categorical research center’ means an
22 institution (or part of an institution) the primary function
23 of which is research (including clinical research), training
24 of specialists, and demonstrations and which, in connection

1 therewith, provides specialized, high-quality diagnostic and
2 treatment services for inpatients and outpatients.

3 “(d) The term ‘diagnostic and treatment station’ means
4 a unit of a hospital or other health facility, the primary
5 function of which is to support and augment local capability
6 for diagnosis and treatment by providing specialized, high-
7 quality diagnostic and treatment services to outpatients and
8 inpatients.

9 “(e) The term ‘nonprofit’ as applied to any institution
10 or agency means an institution or agency which is owned
11 and operated by one or more nonprofit corporations or asso-
12 ciations no part of the net earnings of which inures, or may
13 lawfully inure, to the benefit of any private shareholder or
14 individual.

15 “(f) The term ‘construction’ includes construction and
16 initial equipment of new buildings, expansion, remodeling,
17 and alteration of existing buildings; including architects’
18 services, but excluding off-site improvements and the acqui-
19 sition of land.

20 “GRANTS FOR PLANNING AND DEVELOPMENT

21 “SEC. 903. (a) The Surgeon General, after consulta-
22 tion with the National Advisory Council on Medical Com-
23 plexes established by section 905 (hereinafter in this title

1 referred to as the 'Council'), is authorized to make grants
2 to public or nonprofit private universities, medical schools,
3 research institutions, and other public or nonprofit private
4 agencies and institutions to assist them in planning the devel-
5 opment of regional medical complexes.

6 " (b) Grants under this section may be made only upon
7 application therefor approved by the Surgeon General. Any
8 such application may be approved only if it contains or is
9 supported by reasonable assurances that—

10 " (1) Federal funds paid pursuant to any such
11 grant will be used only for the purposes for which paid
12 and in accordance with the applicable provisions of this
13 title and the regulations thereunder;

14 " (2) the applicant will provide for such fiscal con-
15 trol and fund accounting procedures as are required by
16 the Surgeon General to assure proper disbursement of
17 and accounting for such Federal funds;

18 " (3) the applicant will make such reports, in such
19 form and containing such information as the Surgeon
20 General may from time to time reasonably require, and
21 will keep such records and afford such access thereto
22 as the Surgeon General may find necessary to assure the
23 correctness and verification of such reports; and

24 " (4) the applicant will provide for the designation
25 of an advisory group, to advise the applicant (and the

1 resulting regional medical complex and its component
2 units) in formulating and carrying out the plan for the
3 establishment and operation of such regional medical
4 complex, which includes representatives of organizations,
5 institutions, and agencies concerned with activities of
6 the kind to be carried on by the complex and members
7 of the public familiar with the need for the services
8 provided by the complex.

9 "GRANTS FOR ESTABLISHMENT AND OPERATION OF
10 REGIONAL MEDICAL COMPLEXES

11 "SEC. 904. (a) The Surgeon General, after consultation
12 with the Council, is authorized to make grants to public or
13 nonprofit private universities, medical schools, research in-
14 stitutions, and other public or nonprofit private agencies and
15 institutions to assist in establishment and operation of
16 regional medical complexes, including construction and
17 equipment of facilities in connection therewith.

18 "(b) Grants under this section may be made only upon
19 application therefor approved by the Surgeon General. Any
20 such application may be approved only if it contains or is
21 supported by reasonable assurances that—

22 "(1) Federal funds paid pursuant to any such grant
23 (A) will be used only for the purposes for which paid
24 and in accordance with the applicable provisions of this
25 title and the regulations thereunder, and (B) will not

1 supplant funds that are otherwise available for establish-
2 ment or operation of the regional medical complex with
3 respect to which the grant is made;

4 “ (2) the applicant will provide for such fiscal con-
5 trol and fund accounting procedures as are required by
6 the Surgeon General to assure proper disbursement of
7 and accounting for such Federal funds;

8 “ (3) the applicant will make such reports, in such
9 form and containing such information as the Surgeon
10 General may from time to time reasonably require, and
11 will keep such records and afford such access thereto as
12 the Surgeon General may find necessary to assure the
13 correctness and verification of such reports;

14 “ (4) the applicant has designated or will design-
15 ate an advisory group, described in paragraph (4) of
16 section 903 (b), to advise in carrying out the plan for
17 the regional medical complex; and

18 “ (5) any laborer or mechanic employed by any
19 contractor or subcontractor in the performance of work
20 on any construction aided by payments pursuant to any
21 grant under this section will be paid wages at rates not
22 less than those prevailing on similar construction in the
23 locality as determined by the Secretary of Labor in ac-
24 cordance with the Davis-Bacon Act, as amended (40
25 U.S.C. 276a—276a-5) ; and the Secretary of Labor shall

1 have, with respect to the labor standards specified in this
2 paragraph, the authority and functions set forth in Re-
3 organization Plan Numbered 14 of 1950 (15 F.R.
4 3176; 5 U.S.C. 133z-15) and section 2 of the Act of
5 June 13, 1934, as amended (40 U.S.C. 276c).

6 "NATIONAL ADVISORY COUNCIL ON MEDICAL COMPLEXES

7 "SEC. 905. (a) The Surgeon General, with the ap-
8 proval of the Secretary, may appoint, without regard to the
9 civil service laws, a National Advisory Council on Medical
10 Complexes. The Council shall consist of the Surgeon Gen-
11 eral, who shall be the chairman, and twelve members, not
12 otherwise in the employ of the United States, who are lead-
13 ers in the fields of the fundamental sciences, the medical sci-
14 ences, or public affairs. At least one of the appointed mem-
15 bers shall be outstanding in the study, diagnosis, or
16 treatment of heart disease, one shall be outstanding in the
17 study, diagnosis, or treatment of cancer, and one shall be
18 outstanding in the study, diagnosis, or treatment of stroke.

19 "(b) Each appointed member of the Council shall hold
20 office for a term of four years, except that any member ap-
21 pointed to fill a vacancy prior to the expiration of the term
22 for which his predecessor was appointed shall be appointed
23 for the remainder of such term, and except that the terms of
24 office of the members first taking office shall expire, as desig-

1 nated by the Surgeon General at the time of appointment,
2 four at the end of the first year, four at the end of the second
3 year, and four at the end of the third year after the date of
4 appointment. An appointed member shall not be eligible
5 to serve continuously for more than two terms.

6 “(c) Appointed members of the Council, while attend-
7 ing meetings or conferences thereof or otherwise serving on
8 business of the Council, shall be entitled to receive compen-
9 sation at rates fixed by the Secretary, but not exceeding \$100
10 per day, including travel time, and while so serving away
11 from their homes or regular places of business they may be
12 allowed travel expenses, including per diem in lieu of sub-
13 sistence, as authorized by section 5 of the Administrative
14 Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in
15 the Government service employed intermittently.

16 “(d) The Council shall advise and assist the Surgeon
17 General in the preparation of regulations for, and as to policy
18 matters arising with respect to, the administration of this
19 title. The Council shall consider all applications for grants
20 under this title and shall make recommendations to the
21 Surgeon General with respect to approval of applications
22 for and the amounts of grants under this title.

23 “REGULATIONS

24 “SEC. 906. The Surgeon General, after consultation with
25 the Council, shall prescribe general regulations covering the

1 terms and conditions for approving applications for grants
2 under this title and the coordination of programs assisted
3 under this title with programs for training, research, and
4 demonstrations relating to the same diseases assisted or au-
5 thorized under other titles of this Act or other Acts of
6 Congress.

7 "REPORT

8 "SEC. 907. On or before June 30, 1969, the Surgeon
9 General, after consultation with the Council, shall submit
10 to the Secretary for transmission to the President and then
11 to the Congress, a report of the activities under this title
12 together with (1) a statement of the relationship between
13 Federal financing and financing from other sources of the
14 activities undertaken pursuant to this title, (2) an appraisal
15 of the activities assisted under this title in the light of their
16 effectiveness in carrying out the purposes of this title, and
17 (3) recommendations with respect to extension or modifi-
18 cation of this title in the light thereof."

19 SEC. 3. (a) Section 1 of the Public Health Service Act
20 is amended to read as follows:

21 "SECTION 1. Titles I to IX, inclusive, of this Act may
22 be cited as the 'Public Health Service Act'."

23 (b) The Act of July 1, 1944 (58 Stat. 682), as
24 amended, is further amended by renumbering title IX (as
25 in effect prior to the enactment of this Act) as title X, and

- 1 by renumbering sections 901 through 914 (as in effect prior
- 2 to the enactment of this Act), and references thereto, as
- 3 sections 1001 through 1014, respectively.

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