

Public Law 103-183
103d Congress

An Act

Dec. 14, 1993
[H.R. 2202]

To amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer.

Preventive
Health
Amendments
of 1993.
Inter-
governmental
relations.
42 USC 201 note.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Preventive Health Amendments of 1993”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—BREAST AND CERVICAL CANCER

Sec. 101. Revisions in program of State grants regarding breast and cervical cancer.

Sec. 102. Establishment of demonstration program of grants for additional preventive health services for women.

Sec. 103. Funding for general program.

Sec. 104. Breast and cervical cancer information.

TITLE II—INJURY PREVENTION AND CONTROL

Sec. 201. Establishment of requirements with respect to interpersonal violence within families and among acquaintances.

Sec. 202. Advisory committee; reports.

Sec. 203. Technical corrections.

Sec. 204. Authorization of appropriations.

TITLE III—TUBERCULOSIS

Sec. 301. Preventive health services regarding tuberculosis.

Sec. 302. Research through National Institute of Allergy and Infectious Diseases.

Sec. 303. Research through the Food and Drug Administration.

TITLE IV—SEXUALLY TRANSMITTED DISEASES

Sec. 401. Extension of program of grants regarding prevention and control of sexually transmitted diseases.

Sec. 402. Extension of program regarding preventable cases of infertility arising as result of sexually transmitted diseases.

TITLE V—NATIONAL CENTER FOR HEALTH STATISTICS

Sec. 501. Revision and extension of programs.

TITLE VI—TRAUMA CARE SYSTEMS

Sec. 601. Revisions in programs relating to trauma care.

Sec. 602. Authorization of appropriations.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Evaluations.

Sec. 702. Federal benefits for overseas assignees.

Sec. 703. Loan repayment program.

- Sec. 704. Establishment of requirement of biennial report on nutrition and health.
 Sec. 705. Alignment of current Centers for Disease Control and Prevention reauthorization schedule.
 Sec. 706. Miscellaneous payment provisions.
 Sec. 707. Interim final regulations.
 Sec. 708. Simplification of vaccine information materials.

TITLE I—BREAST AND CERVICAL CANCER

SEC. 101. REVISIONS IN PROGRAM OF STATE GRANTS REGARDING BREAST AND CERVICAL CANCER.

(a) **LIMITED AUTHORITY REGARDING FOR-PROFIT ENTITIES.**—Section 1501(b) of the Public Health Service Act (42 U.S.C. 300k(b)), as amended by section 2008(c)(1) of Public Law 103-43 (107 Stat. 211), is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by striking paragraph (2) and inserting the following paragraphs:

“(2) **LIMITED AUTHORITY REGARDING OTHER ENTITIES.**—In addition to the authority established in paragraph (1) for a State with respect to grants and contracts, the State may provide for screenings under subsection (a)(1) through entering into contracts with private entities that are not nonprofit entities.

“(3) **PAYMENTS FOR SCREENINGS.**—The amount paid by a State to an entity under this subsection for a screening procedure under subsection (a)(1) may not exceed the amount that would be paid under part B of title XVIII of the Social Security Act if payment were made under such part for furnishing the procedure to a woman enrolled under such part.”

(b) **SPECIAL CONSIDERATION.**—Section 1501 of the Public Health Service Act (42 U.S.C. 300k) is amended by adding at the end the following subsection:

“(c) **SPECIAL CONSIDERATION FOR CERTAIN STATES.**—In making grants under subsection (a) to States whose initial grants under such subsection are made for fiscal year 1995 or any subsequent fiscal year, the Secretary shall give special consideration to any State whose proposal for carrying out programs under such subsection—

“(1) has been approved through a process of peer review; and

“(2) is made with respect to geographic areas in which there is—

“(A) a substantial rate of mortality from breast or cervical cancer; or

“(B) a substantial incidence of either of such cancers.”

(c) **QUALITY ASSURANCE REGARDING SCREENING PROCEDURES.**—

(1) **IN GENERAL.**—Section 1503 of the Public Health Service Act (42 U.S.C. 300m) is amended by striking subsections (c) through (e) and inserting the following:

“(c) **QUALITY ASSURANCE REGARDING SCREENING PROCEDURES.**—The Secretary may not make a grant under section 1501 unless the State involved agrees that the State will, in accordance with applicable law, assure the quality of screening procedures conducted pursuant to such section.”

42 USC 300m
note.

(2) **TRANSITION RULE REGARDING MAMMOGRAPHIES.**—With respect to the screening procedure for breast cancer known as a mammography, the requirements in effect on the day before the date of the enactment of this Act under section 1503(c) of the Public Health Service Act remain in effect (for an individual or facility conducting such procedures pursuant to a grant to a State under section 1501 of such Act) until there is in effect for the facility a certificate (or provisional certificate) issued under section 354 of such Act.

(d) **STATEWIDE PROVISION OF SERVICES.**—Section 1504(c) of the Public Health Service Act (42 U.S.C. 300n(c)) is amended by adding at the end the following paragraph:

“(3) **GRANTS TO TRIBES AND TRIBAL ORGANIZATIONS.**—

“(A) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to tribes and tribal organizations (as such terms are used in paragraph (1)) for the purpose of carrying out programs described in section 1501(a). This title applies to such a grant (in relation to the jurisdiction of the tribe or organization) to the same extent and in the same manner as such title applies to a grant to a State under section 1501 (in relation to the jurisdiction of the State).

“(B) If a tribe or tribal organization is receiving a grant under subparagraph (A) and the State in which the tribe or organization is located is receiving a grant under section 1501, the requirement established in paragraph (1) for the State regarding the tribe or organization is deemed to have been waived under paragraph (2).”.

(e) **EVALUATIONS AND REPORTS.**—Section 1508 of the Public Health Service Act (42 U.S.C. 300n-4) is amended—

(1) in subsection (a), by adding at the end the following sentence: “Such evaluations shall include evaluations of the extent to which States carrying out such programs are in compliance with section 1501(a)(2) and with section 1504(c).”; and

(2) in subsection (b), by inserting before the period the following: “, including recommendations regarding compliance by the States with section 1501(a)(2) and with section 1504(c).”.

(f) **ESTABLISHMENT OF COORDINATING COMMITTEE.**—Section 1501 of the Public Health Service Act (42 U.S.C. 300k) is amended by adding at the end the following subsection:

“(c) **COORDINATING COMMITTEE REGARDING YEAR 2000 HEALTH OBJECTIVES.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish a committee to coordinate the activities of the agencies of the Public Health Service (and other appropriate Federal agencies) that are carried out toward achieving the objectives established by the Secretary for reductions in the rate of mortality from breast and cervical cancer in the United States by the year 2000. Such committee shall be comprised of Federal officers or employees designated by the heads of the agencies involved to serve on the committee as representatives of the agencies, and such representatives from other public or private entities as the Secretary determines to be appropriate.”.

(g) **TECHNICAL CORRECTIONS.**—Title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) is amended—

(1) in section 1501(a), in the matter preceding paragraph (1), by striking “Control,” and inserting “Control and Prevention,”; and

42 USC 300k.

(2) in section 1505—

42 USC 300n-1.

(A) in paragraph (3) (as amended by section 2008(c)(2) of Public Law 103-43 (107 Stat. 211)), by striking “public” and all that follows and inserting “public and nonprofit private entities; and”; and

(B) in paragraph (4), by inserting “will” before “be used”.

SEC. 102. ESTABLISHMENT OF DEMONSTRATION PROGRAM OF GRANTS FOR ADDITIONAL PREVENTIVE HEALTH SERVICES FOR WOMEN.

(a) **IN GENERAL.**—Title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) is amended—

(1) by redesignating section 1509 as section 1510; and

42 USC 300n-5.

(2) by inserting after section 1508 the following section:

“SEC. 1509. SUPPLEMENTAL GRANTS FOR ADDITIONAL PREVENTIVE HEALTH SERVICES.

42 USC 300n-4a.

“(a) **DEMONSTRATION PROJECTS.**—In the case of States receiving grants under section 1501, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to not more than 3 such States to carry out demonstration projects for the purpose of—

“(1) providing preventive health services in addition to the services authorized in such section, including screenings regarding blood pressure and cholesterol, and including health education;

“(2) providing appropriate referrals for medical treatment of women receiving services pursuant to paragraph (1) and ensuring, to the extent practicable, the provision of appropriate follow-up services; and

“(3) evaluating activities conducted under paragraphs (1) and (2) through appropriate surveillance or program-monitoring activities.

“(b) **STATUS AS PARTICIPANT IN PROGRAM REGARDING BREAST AND CERVICAL CANCER.**—The Secretary may not make a grant under subsection (a) unless the State involved agrees that services under the grant will be provided only through entities that are screening women for breast or cervical cancer pursuant to a grant under section 1501.

“(c) **APPLICABILITY OF PROVISIONS OF GENERAL PROGRAM.**—This title applies to a grant under subsection (a) to the same extent and in the same manner as such title applies to a grant under section 1501.

“(d) **FUNDING.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), for the purpose of carrying out this section, there are authorized to be appropriated \$3,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

Appropriation authorization.

“(2) **LIMITATION REGARDING FUNDING WITH RESPECT TO BREAST AND CERVICAL CANCER.**—The authorization of appropriations established in paragraph (1) is not effective for a fiscal year unless the amount appropriated under section 1510(a) for the fiscal year is equal to or greater than \$100,000,000.”.

(b) **CONFORMING AMENDMENT.**—Section 1510(a) of the Public Health Service Act, as redesignated by subsection (a)(1) of this section, is amended in the heading for the section by striking “FUNDING.” and inserting “FUNDING FOR GENERAL PROGRAM.”

42 USC 300n-5.

SEC. 103. FUNDING FOR GENERAL PROGRAM.

Section 1510(a) of the Public Health Service Act, as redesignated by section 102(a)(1) of this Act, is amended—

- (1) by striking “and” after “1991,”; and
- (2) by inserting before the period the following: “, \$150,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998”.

SEC. 104. BREAST AND CERVICAL CANCER INFORMATION.

Part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.), as amended by section 2008(i)(2)(A) of Public Law 103-43 (107 Stat. 213), is amended by adding at the end the following new section:

“BREAST AND CERVICAL CANCER INFORMATION

42 USC 256d.

“SEC. 340D. (a) **IN GENERAL.**—As a condition of receiving grants, cooperative agreements, or contracts under this Act, each of the entities specified in subsection (c) shall, to the extent determined to be appropriate by the Secretary, make available information concerning breast and cervical cancer.

“(b) **CERTAIN AUTHORITIES.**—In carrying out subsection (a), an entity specified in subsection (c)—

“(1) may make the information involved available to such individuals as the entity determines appropriate;

“(2) may, as appropriate, provide information under subsection (a) on the need for self-examination of the breasts and on the skills for such self-examinations;

“(3) shall provide information under subsection (a) in the language and cultural context most appropriate to the individuals to whom the information is provided; and

“(4) shall refer such clients as the entities determine appropriate for breast and cervical cancer screening, treatment, or other appropriate services.

“(c) **RELEVANT ENTITIES.**—The entities specified in this subsection are the following:

“(1) Entities receiving assistance under section 317E (relating to tuberculosis).

“(2) Entities receiving assistance under section 318 (relating to sexually transmitted diseases).

“(3) Migrant health centers receiving assistance under section 329.

“(4) Community health centers receiving assistance under section 330.

“(5) Entities receiving assistance under section 340 (relating to homeless individuals).

“(6) Entities receiving assistance under section 340A (relating to health services for residents of public housing).

“(7) Entities providing services with assistance under title V or title XIX.

“(8) Entities receiving assistance under section 1001 (relating to family planning).

“(9) Entities receiving assistance under title XXVI (relating to services with respect to acquired immune deficiency syndrome).

“(10) Non-Federal entities authorized under the Indian Self-Determination Act.”.

TITLE II—INJURY PREVENTION AND CONTROL

SEC. 201. ESTABLISHMENT OF REQUIREMENTS WITH RESPECT TO INTERPERSONAL VIOLENCE WITHIN FAMILIES AND AMONG ACQUAINTANCES.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.), as redesignated by section 2008(i)(2)(B)(i) of Public Law 103-43 (107 Stat. 213), is amended—

(1) by redesignating sections 393 and 394 as sections 394 and 394A, respectively; and

(2) by inserting after section 392 the following section:

42 USC 280b-2,
280b-3.

“INTERPERSONAL VIOLENCE WITHIN FAMILIES AND AMONG ACQUAINTANCES

“SEC. 393. (a) With respect to activities that are authorized in sections 391 and 392, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out such activities with respect to interpersonal violence within families and among acquaintances. Activities authorized in the preceding sentence include the following:

42 USC 280b-1a.

“(1) Collecting data relating to the incidence of such violence.

“(2) Making grants to public and nonprofit private entities for the evaluation of programs whose purpose is to prevent such violence, including the evaluation of demonstration projects under paragraph (6).

“(3) Making grants to public and nonprofit private entities for the conduct of research on identifying effective strategies for preventing such violence.

“(4) Providing to the public information and education on such violence, including information and education to increase awareness of the public health consequences of such violence.

Public
information.

“(5) Training health care providers as follows:

“(A) To identify individuals whose medical conditions or statements indicate that the individuals are victims of such violence.

“(B) To routinely determine, in examining patients, whether the medical conditions or statements of the patients so indicate.

“(C) To refer individuals so identified to entities that provide services regarding such violence, including referrals for counseling, housing, legal services, and services of community organizations.

“(6) Making grants to public and nonprofit private entities for demonstration projects with respect to such violence, including with respect to prevention.

“(b) For purposes of this part, the term ‘interpersonal violence within families and among acquaintances’ includes behavior com-

monly referred to as domestic violence, sexual assault, spousal abuse, woman battering, partner abuse, elder abuse, and acquaintance rape.”

SEC. 202. ADVISORY COMMITTEE; REPORTS.

42 USC 280b-2. Section 394 of the Public Health Service Act, as redesignated by section 201(1) of this Act, is amended to read as follows:

“GENERAL PROVISIONS

Establishment.

“SEC. 394. (a) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish an advisory committee to advise the Secretary and such Director with respect to the prevention and control of injuries.

“(b) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may provide technical assistance to public and nonprofit private entities with respect to the planning, development, and operation of any program or service carried out pursuant to this part. The Secretary may provide such technical assistance directly or through grants or contracts.

“(c) Not later than February 1 of 1995 and of every second year thereafter, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities carried out under this part during the preceding 2 fiscal years. Such report shall include a description of such activities that were carried out with respect to interpersonal violence within families and among acquaintances and with respect to rural areas.”

SEC. 203. TECHNICAL CORRECTIONS.

(a) TERMINOLOGY.—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.), as redesignated by section 2008(i)(2)(B)(i) of Public Law 103-43 (107 Stat. 213), is amended—

(1) in the heading for such part, by striking “INJURY CONTROL” and inserting “PREVENTION AND CONTROL OF INJURIES”; and

42 USC 280b-1.

(2) in section 392—

(A) in the heading for such section, by inserting “PREVENTION AND” before “CONTROL ACTIVITIES”;

(B) in subsection (a)(1), by inserting “and control” after “prevention”; and

(C) in subsection (b)(1), by striking “injuries and injury control” and inserting “the prevention and control of injuries”.

(b) PROVISIONS RELATING TO PUBLIC LAW 102-531.—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.), as amended by section 301 of Public Law 102-531 (106 Stat. 3482) and as redesignated by section 2008(i)(2)(B)(i) of Public Law 103-43 (107 Stat. 213), is amended—

(1) in section 392(b)(2), by striking “to promote injury control” and all that follows and inserting “to promote activities regarding the prevention and control of injuries; and”;

42 USC 280b.

(2) in section 391(b), by adding at the end the following sentence: “In carrying out the preceding sentence, the Secretary shall disseminate such information to the public, including through elementary and secondary schools.”

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

Section 394A of the Public Health Service Act, as redesignated by section 201(1) of this Act, is amended by striking “To carry out” and all that follows and inserting the following: “For the purpose of carrying out this part, there are authorized to be appropriated \$50,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.”

42 USC 280b-3.

TITLE III—TUBERCULOSIS**SEC. 301. PREVENTIVE HEALTH SERVICES REGARDING TUBERCULOSIS.**

(a) **IN GENERAL.**—Part B of title III of the Public Health Service Act (42 U.S.C. 242 et seq.), as amended by section 308 of Public Law 102-531 (106 Stat. 3495), is amended by inserting after section 317D the following section:

“PREVENTIVE HEALTH SERVICES REGARDING TUBERCULOSIS

“SEC. 317E. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States, political subdivisions, and other public entities for preventive health service programs for the prevention, control, and elimination of tuberculosis.

42 USC 247b-6.

“(b) RESEARCH, DEMONSTRATION PROJECTS, EDUCATION, AND TRAINING.—With respect to the prevention, control, and elimination of tuberculosis, the Secretary may, directly or through grants to public or nonprofit private entities, carry out the following:

“(1) Research, with priority given to research concerning strains of tuberculosis resistant to drugs and research concerning cases of tuberculosis that affect certain populations.

“(2) Demonstration projects.

“(3) Public information and education programs.

“(4) Education, training, and clinical skills improvement activities for health professionals, including allied health personnel and emergency response employees.

“(5) Support of centers to carry out activities under paragraphs (1) through (4).

“(6) Collaboration with international organizations and foreign countries in carrying out such activities.

“(c) COOPERATION WITH PROVIDERS OF PRIMARY HEALTH SERVICES.—The Secretary may make a grant under subsection (a) or (b) only if the applicant for the grant agrees that, in carrying out activities under the grant, the applicant will cooperate with public and nonprofit private providers of primary health services or substance abuse services, including entities receiving assistance under section 329, 330, 340, or 340A or under title V or XIX.

“(d) APPLICATION FOR GRANT.—

“(1) IN GENERAL.—The Secretary may make a grant under subsection (a) or (b) only if an application for the grant is submitted to the Secretary and the application, subject to paragraph (2), is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out the subsection involved.

“(2) PLAN FOR PREVENTION, CONTROL, AND ELIMINATION.—The Secretary may make a grant under subsection (a) only

if the application under paragraph (1) contains a plan regarding the prevention, control, and elimination of tuberculosis in the geographic area with respect to which the grant is sought.

“(e) SUPPLIES AND SERVICES IN LIEU OF GRANT FUNDS.—

“(1) IN GENERAL.—Upon the request of a grantee under subsection (a) or (b), the Secretary may, subject to paragraph (2), provide supplies, equipment, and services for the purpose of aiding the grantee in carrying out the subsection involved and, for such purpose, may detail to the State any officer or employee of the Department of Health and Human Services.

“(2) CORRESPONDING REDUCTION IN PAYMENTS.—With respect to a request described in paragraph (1), the Secretary shall reduce the amount of payments under the grant involved by an amount equal to the costs of detailing personnel and the fair market value of any supplies, equipment, or services provided by the Secretary. The Secretary shall, for the payment of expenses incurred in complying with such request, expend the amounts withheld.

“(f) ADVISORY COUNCIL.—

Establishment.

“(1) IN GENERAL.—The Secretary shall establish an advisory council to be known as the Advisory Council for the Elimination of Tuberculosis (in this subsection referred to as the “Council”).

“(2) GENERAL DUTIES.—The Council shall provide advice and recommendations regarding the elimination of tuberculosis to the Secretary, the Assistant Secretary for Health, and the Director of the Centers for Disease Control and Prevention.

“(3) CERTAIN ACTIVITIES.—With respect to the elimination of tuberculosis, the Council shall—

“(A) in making recommendations under paragraph (2), make recommendations regarding policies, strategies, objectives, and priorities;

“(B) address the development and application of new technologies; and

“(C) review the extent to which progress has been made toward eliminating tuberculosis.

“(4) COMPOSITION.—The Secretary shall determine the size and composition of the Council, and the frequency and scope of official meetings of the Council.

“(5) STAFF, INFORMATION, AND OTHER ASSISTANCE.—The Secretary shall provide to the Council such staff, information, and other assistance as may be necessary to carry out the duties of the Council.

“(g) FUNDING.—

Appropriation authorizations.

“(1) IN GENERAL; ALLOCATION FOR EMERGENCY GRANTS.—

“(A) For the purpose of making grants under subsection (a), there are authorized to be appropriated \$200,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

“(B) Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve not more than \$50,000,000 for emergency grants under subsection (a) for any geographic area in which there is, relative to other areas, a substantial number of cases of tuberculosis or a substantial rate of increase in such cases.

“(2) RESEARCH, DEMONSTRATION PROJECTS, EDUCATION, AND TRAINING.—For the purpose of making grants under subsection (b), there are authorized to be appropriated such sums as

may be necessary for each of the fiscal years 1994 through 1998.”.

(b) **CONFORMING AMENDMENTS.**—Section 317 of the Public Health Service Act (42 U.S.C. 247b) is amended—

(1) in subsection (j)—

(A) by striking paragraph (2);

(B) by striking “(j)(1)(A)” and inserting “(j)(1)”;

(C) by striking “(B) For grants” and inserting “(2) For grants”; and

(D) in paragraph (1) (as so redesignated), by striking “established in subparagraph (B)” and inserting “established in paragraph (2)”;

(2) in subsection (k)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(C) in paragraph (4) (as so redesignated), by striking “of section 317” each place such term appears; and

(3) by striking subsection (l).

SEC. 302. RESEARCH THROUGH NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES.

(a) **CERTAIN DUTIES.**—Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f) is amended by inserting after section 446 the following section:

“RESEARCH AND RESEARCH TRAINING REGARDING TUBERCULOSIS

“SEC. 447. (a) In carrying out section 446, the Director of the Institute shall conduct or support research and research training regarding the cause, diagnosis, early detection, prevention and treatment of tuberculosis. 42 USC 285f-2.

“(b) For the purpose of carrying out subsection (a), there are authorized to be appropriated \$50,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998. Such authorization is in addition to any other authorization of appropriations that is available for such purpose.”. Appropriation authorization.

SEC. 303. RESEARCH THROUGH THE FOOD AND DRUG ADMINISTRATION. 42 USC 285f-2 note.

The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall implement a tuberculosis drug and device research program under which the Commissioner may—

(1) provide assistance to other Federal agencies for the development of tuberculosis protocols;

(2) review and evaluate medical devices designed for the diagnosis and control of airborne tuberculosis; and

(3) conduct research concerning drugs or devices to be used in diagnosing, controlling and preventing tuberculosis.

TITLE IV—SEXUALLY TRANSMITTED DISEASES

SEC. 401. EXTENSION OF PROGRAM OF GRANTS REGARDING PREVENTION AND CONTROL OF SEXUALLY TRANSMITTED DISEASES.

(a) **INNOVATIVE, INTERDISCIPLINARY APPROACHES.**—Section 318 of the Public Health Service Act (42 U.S.C. 247c(d)(1)) is amended—

- (1) by redesignating subsection (d) as subsection (e); and
- (2) by inserting after subsection (c) the following subsection:

“(d) The Secretary may make grants to States and political subdivisions of States for the development, implementation, and evaluation of innovative, interdisciplinary approaches to the prevention and control of sexually transmitted diseases.”

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 318(e) of the Public Health Service Act, as redesignated by subsection (a)(1) of this section, is amended by amending paragraph (1) to read as follows: “(1) For the purpose of making grants under subsections (b) through (d), there are authorized to be appropriated \$85,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.”

(c) **TECHNICAL CORRECTIONS.**—Section 318 of the Public Health Service Act, as amended by subsection (a) of this section, is amended—

- (1) in subsection (b)(3), by striking “, and” and inserting “; and”;

- (2) in subsection (c)(3), by striking “, and” and inserting “; and”; and

- (3) in subsection (d)(5)—

- (A) in subparagraph (A), by striking “form, or” and inserting “form; or”; and

- (B) in subparagraph (B), by striking “purposes,” and inserting “purposes;”.

SEC. 402. EXTENSION OF PROGRAM REGARDING PREVENTABLE CASES OF INFERTILITY ARISING AS RESULT OF SEXUALLY TRANSMITTED DISEASES.

(a) **TECHNICAL CORRECTIONS.**—Section 318A of the Public Health Service Act (42 U.S.C. 247c-1), as added by section 304 of Public Law 102-531 (106 Stat. 3490), is amended in subsection (o)(2) by striking “subsection (s)” and inserting “subsection (q)”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 318A of the Public Health Service Act (42 U.S.C. 247c-1), as added by section 304 of Public Law 102-531 (106 Stat. 3490), is amended—

- (1) in subsection (q), by striking “and 1995” and inserting “through 1998”; and

- (2) in subsection (r)(2), by striking “through 1995” and inserting “through 1998”.

TITLE V—NATIONAL CENTER FOR HEALTH STATISTICS

SEC. 501. REVISION AND EXTENSION OF PROGRAMS.

(a) **IN GENERAL.**—Section 306 of the Public Health Service Act (42 U.S.C. 242k) is amended—

(1) in subsection (c), by striking “Committee on Human Resources” and inserting “Committee on Labor and Human Resources”;

(2) in subsection (g), by striking “data which shall be published” and all that follows and inserting “data.”;

(3) in subsection (i), by striking “engaged in health planning activities”;

(4) in subsection (k)(2)—

(A) in subparagraph (A), in the last sentence, by striking “Except” and all that follows through “members” and inserting “Members”;

(B) by striking subparagraph (B); and

(C) by striking the remaining subparagraph designation; and

(5)(A) by striking subsection (l);

(B) by redesignating subsections (m) through (o) as subsections (l) through (n), respectively;

(C) in subsection (l) (as so redesignated), in the last sentence, by striking “(n)” and inserting “(m)”;

(D) in subsection (n) (as so redesignated)—

(i) in paragraph (1), by striking “(m)” and inserting “(l)”;

(ii) in paragraph (2)—

(I) by striking “(n)” and inserting “(m)”;

(II) by striking “(n)(2)” and inserting “(m)(2)”.

(b) **GENERAL AUTHORITY RESPECTING RESEARCH, EVALUATIONS, AND DEMONSTRATIONS.**—Section 304 of the Public Health Service Act (42 U.S.C. 242b) is amended by striking subsection (d).

(c) **GENERAL PROVISIONS RESPECTING EFFECTIVENESS, EFFICIENCY, AND QUALITY OF HEALTH SERVICES.**—Section 308 of the Public Health Service Act (42 U.S.C. 242m) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(B) in paragraph (2), by striking “reports required by subparagraphs” and all that follows through “Center” and inserting the following: “reports required in paragraph (1) shall be prepared through the National Center”;

(2)(A) by striking subsection (c);

(B) by transferring paragraph (2) of subsection (g) from the current location of the paragraph;

(C) by redesignating such paragraph as subsection (c);

(D) by inserting subsection (c) (as so redesignated) after subsection (b); and

(E) by striking the remainder of subsection (g);

(3) in subsection (c) (as so redesignated)—

(A) by striking “shall (A) take” and inserting “shall take”; and

(B) by striking “and (B) publish” and inserting “and shall publish”;

(4) in subsection (f), by striking “sections 3648” and all that follows and inserting the following: “section 3324 of title 31, United States Code, and section 3709 of the Revised Statutes (41 U.S.C. 5).”; and

(5) by striking subsection (h).

42 USC 242k.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Section 306(n) of the Public Health Service Act, as redesignated by subsection (a)(5)(B), is amended—

(1) in paragraph (1), by striking “through 1993” and inserting “through 1998”; and

(2) in paragraph (2), in the first sentence—

(A) by striking “and” after “1992,”; and

(B) by inserting before the period the following: “, and \$10,000,000 for each of the fiscal years 1994 through 1998”.

TITLE VI—TRAUMA CARE SYSTEMS

SEC. 601. REVISIONS IN PROGRAMS RELATING TO TRAUMA CARE.

(a) **GENERAL AUTHORITY.**—Section 1201 of the Public Health Service Act (42 U.S.C. 300d) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting after “Secretary” the following: “, acting through the Administrator of the Health Resources and Services Administration,”; and

(2) by adding at the end the following subsection:

“(c) **ADMINISTRATION.**—The Administrator of the Health Resources and Services Administration shall ensure that this title is administered by the Division of Trauma and Emergency Medical Systems within such Administration. Such Division shall be headed by a director appointed by the Secretary from among individuals who are knowledgeable by training or experience in the development and operation of trauma and emergency medical systems.”.

(b) **ADVISORY COUNCIL.**—Section 1201 of the Public Health Service Act (42 U.S.C. 300d) is amended—

42 USC 300d-1.

(1) by striking section 1202; and

(2) by redesignating sections 1203 and 1204 as sections 1202 and 1203, respectively;

42 USC 300d-2,
300d-3.

(c) **REPORTS BY STATES; EVALUATIONS BY COMPTROLLER GENERAL.**—Section 1216(c) of the Public Health Service Act (42 U.S.C. 300d-16) is amended by striking “1993” and inserting “1994”.

(d) **REPORT BY SECRETARY.**—Section 1222 of the Public Health Service Act (42 U.S.C. 300d-22) is amended—

(1) in the first sentence, by striking “1992” and inserting “1995”; and

(2) by inserting after the first sentence the following sentence: “Such report shall include an assessment of the extent to which Federal and State efforts to develop systems of trauma care and to designate trauma centers have reduced the incidence of mortality, and the incidence of permanent disability, resulting from trauma.”.

(e) **WAIVER REGARDING PURPOSE OF GRANTS.**—Section 1233 of the Public Health Service Act (42 U.S.C. 300d-33) is repealed.

(f) **TECHNICAL CORRECTIONS.**—Title XII of the Public Health Service Act (42 U.S.C. 300d et seq.) is amended—

(1) in section 1204(c), by inserting before the period the following: “determines to be necessary to carry out this section”; 42 USC 300d-3.

(2) in section 1212(a)(2)(A), by striking “1211(c)” and inserting “1211(b)”; 42 USC 300d-12.

(3) in section 1213(a)— 42 USC 300d-13.

(A) in paragraph (4), by striking “Act” and inserting “Act”;

(B) in paragraphs (8) and (9), by striking “to provide” each place such term appears and inserting “provides for”; and

(C) in paragraph (10), by striking “to conduct” and inserting “conducts”; and

(4) in section 1231(3), by striking “Rico;” and inserting “Rico.” 42 USC 300d-31.

SEC. 602. AUTHORIZATION OF APPROPRIATIONS.

Section 1232(a) of the Public Health Service Act (42 U.S.C. 300d-32(a)) is amended by striking “for the purpose” and all that follows and inserting the following: “For the purpose of carrying out parts A and B, there are authorized to be appropriated \$6,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.”

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. EVALUATIONS.

Effective October 1, 1994, section 241 of the Public Health Service Act (42 U.S.C. 238j), as transferred and redesignated by section 2010(a) of Public Law 103-43 (107 Stat. 213), is amended to read as follows:

Effective date.

“EVALUATION OF PROGRAMS

“**SEC. 241. (a) IN GENERAL.**—Such portion as the Secretary shall determine, but not less than 0.2 percent nor more than 1 percent, of any amounts appropriated for programs authorized under this Act shall be made available for the evaluation (directly, or by grants of contracts) of the implementation and effectiveness of such programs.

“(b) **REPORT ON EVALUATIONS.**—Not later than February 1 of each year, the Secretary shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the findings of the evaluations conducted under subsection (a).”

SEC. 702. FEDERAL BENEFITS FOR OVERSEAS ASSIGNEES.

Section 307 of the Public Health Service Act (42 U.S.C. 242l) is amended by adding at the end thereof the following new subsection:

“(c) The Secretary may provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits

similar to those provided under chapter 9 of title I of the Foreign Service Act of 1990 (22 U.S.C. 4081 et seq.). Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, to individuals serving in the Foreign Service.”.

SEC. 703. LOAN REPAYMENT PROGRAM

Part B of title III of the Public Health Service Act, as amended by section 301 of this Act, is amended by inserting after section 317E the following section:

“LOAN REPAYMENT PROGRAM

42 USC 247b-7.

“SEC. 317F. (a) IN GENERAL.—

“(1) AUTHORITY.—Subject to paragraph (2), the Secretary may carry out a program of entering into contracts with appropriately qualified health professionals under which such health professionals agree to conduct prevention activities, as employees of the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry, in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

“(2) LIMITATION.—The Secretary may not enter into an agreement with a health professional pursuant to paragraph (1) unless such professional—

“(A) has a substantial amount of educational loans relative to income; and

“(B) agrees to serve as an employee of the Centers for Disease Control and Prevention or the Agency for Toxic Substances and Disease Registry for purposes of paragraph (1) for a period of not less than 3 years.

“(b) APPLICABILITY OF CERTAIN PROVISIONS.—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III of this Act, the provisions of such subpart shall, except as inconsistent with subsection (a), apply to the program established in this section in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program.

“(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$500,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.”.

SEC. 704. ESTABLISHMENT OF REQUIREMENT OF BIENNIAL REPORT ON NUTRITION AND HEALTH.

Title XVII of the Public Health Service Act (42 U.S.C. 300u et seq.), as amended by section 302 of Public Law 102-531 (106 Stat. 3483), is amended by adding at the end the following section:

“BIENNIAL REPORT REGARDING NUTRITION AND HEALTH

42 USC 300u-8.

“SEC. 1709. (a) BIENNIAL REPORT.—The Secretary shall require the Surgeon General of the Public Health Service to prepare biennial reports on the relationship between nutrition and health. Such reports may, with respect to such relationship, include any recommendations of the Secretary and the Surgeon General.

“(b) **SUBMISSION TO CONGRESS.**—The Secretary shall ensure that, not later than February 1 of 1995 and of every second year thereafter, a report under subsection (a) is submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.”.

SEC. 705. ALIGNMENT OF CURRENT CENTERS FOR DISEASE CONTROL AND PREVENTION REAUTHORIZATION SCHEDULE.

(a) **SCREENINGS, EDUCATION, AND REFERRALS REGARDING LEAD POISONING.**—Section 317A(1)(1) of the Public Health Service Act (42 U.S.C. 247b-1(1)(1)) is amended by striking “through 1997” and inserting “through 1998”.

(b) **PROSTATE CANCER PREVENTION.**—Section 317D(1)(1) of the Public Health Service Act (42 U.S.C. 247b-5(1)(1)) is amended by striking “through 1996” and inserting “through 1998”.

(c) **CANCER REGISTRIES.**—Section 399L(a) of the Public Health Service Act (42 U.S.C. 280e-4(a)) (as amended by section 2003(1) of Public Law 103-43) is amended by striking “through 1996” and inserting “through 1998”.

(d) **HEALTH PROMOTION AND DISEASE PREVENTION RESEARCH AND DEMONSTRATION CENTERS.**—Section 1706(e) of the Public Health Service Act (42 U.S.C. 300u-5(e)) is amended by striking “through 1996” and inserting “through 1998”.

(e) **TITLE XIX PROGRAM.**—Section 1901(a) of the Public Health Service Act (42 U.S.C. 300w(a)) is amended by striking “through 1997” and inserting “through 1998”.

(f) **SENSE OF CONGRESS REGARDING SCHEDULE FOR LEGISLATION.**—It is the sense of the Congress that, during the fiscal years 1994 through 1997, authorizations of appropriations for the programs of the Centers for Disease Control and Prevention should be provided only through fiscal year 1998, and that for fiscal year 1999 and subsequent fiscal years such programs, when considered by the Congress through legislation providing further authorizations of appropriations, should be so considered during a single year.

SEC. 706. MISCELLANEOUS PAYMENT PROVISIONS

(a) **PAYMENT OF CERTAIN JUDGMENTS.**—Section 224(k)(2) of the Public Health Service Act (42 U.S.C. 233(k)(2)), as added by section 4 of the Federally Supported Health Centers Assistance Act of 1992, is amended by adding at the end thereof the following new sentence: “Appropriations for purposes of this paragraph shall be made separate from appropriations made for purposes of sections 329, 330, 340 and 340A.”.

(b) **COMPENSATION REGARDING CERTAIN ADVISORY COUNCIL.**—Section 337(b)(2) of the Public Health Service Act (42 U.S.C. 254j(b)(2)) is amended—

(1) by inserting before “the daily equivalent” the following: “compensation at a rate fixed by the Secretary (but not to exceed”;

(2) by striking “Schedule;” and inserting “Schedule;”.

SEC. 707. INTERIM FINAL REGULATIONS.

The Secretary of Health and Human Services is authorized to issue interim final regulations—

(1) under which the Secretary may approve accreditation bodies under section 354(e) of the Public Health Service Act (42 U.S.C. 263b(e)); and

42 USC 263b
note.

(2) establishing quality standards under section 354(f) of the Public Health Service Act (42 U.S.C. 263b(f)).

SEC. 708. SIMPLIFICATION OF VACCINE INFORMATION MATERIALS.

(a) **INFORMATION.**—Section 2126(b) of the Public Health Service Act (42 U.S.C. 300aa-26(b)) is amended—

(1) by striking “by rule” in the matter preceding paragraph (1); and

(2) by striking, in paragraph (1), “, opportunity for a public hearing, and 90” and inserting “and 60”.

(b) **REQUIREMENTS.**—Section 2126(c) of the Public Health Service Act (42 U.S.C. 300aa-26(c)) is amended—

(1) by inserting “shall be based on available data and information,” after “such materials” in the matter preceding paragraph (1); and

(2) by striking paragraphs (1) through (10) and inserting the following:

“(1) a concise description of the benefits of the vaccine,

“(2) a concise description of the risks associated with the vaccine,

“(3) a statement of the availability of the National Vaccine Injury Compensation Program, and

“(4) such other relevant information as may be determined by the Secretary.”

(c) **OTHER INDIVIDUALS.**—Subsections (a) and (d) of section 2126 of the Public Health Service Act (42 U.S.C. 300aa-26) are each amended by inserting “or to any other individual” after “to the legal representatives of any child”.

(d) **PROVIDERS DUTIES.**—Subsection (d) of section 2126 of the Public Health Service Act (42 U.S.C. 300aa-26) is amended—

(1) by striking all after “subsection (a),” the second place it appears in the first sentence and inserting “supplemented with visual presentations or oral explanations, in appropriate cases.”; and

(2) by striking “or other information” in the last sentence.

Approved December 14, 1993.

LEGISLATIVE HISTORY—H.R. 2202 (S. 1002) (S. 1318):

HOUSE REPORTS: Nos. 103-120 (Comm. on Energy and Commerce) and 103-397 (Comm. of Conference).

SENATE REPORTS: No. 103-135 accompanying S. 1318 (Comm. on Labor and Human Resources).

CONGRESSIONAL RECORD, Vol. 139 (1993):

June 14, considered and passed House.

Nov. 2, considered and passed Senate, amended.

Nov. 21, House agreed to conference report.

Nov. 22, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 29 (1993):

Dec. 16, Presidential statement.