

## LEGISLATIVE HISTORY OF THE SPECIAL STATUTORY FUNDING PROGRAM FOR TYPE 1 DIABETES RESEARCH

A *Special Statutory Funding Program for Type 1 Diabetes Research* is mandated by Section 330B of the Public Health Service Act. The original enabling legislation was the Balanced Budget Act of 1997 (Public Law 105-33), which was later amended by the Fiscal Year 2001 Consolidated Appropriations Act (Public Law 106-554); the Public Health Service Act amendment relating to diabetes research (Public Law 107-360); the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110-173); the Medicare Improvement for Patients and Providers Act of 2008 (Public Law 110-275); and the Medicare and Medicaid Extenders Act of 2010 (Public Law 111-309). Section 330B states:

### Sec. 330B.[254c-2] Special Diabetes Programs for Type 1 Diabetes

“(a) In General.—The Secretary, directly or through grants, shall provide for research into the prevention and cure of Type 1 diabetes.”

“(b) Funding.—

(1) Transferred Funds.—Notwithstanding section 2104(a) of the Social Security Act, from the amounts appropriated in such section for each of the fiscal years 1998 through 2002, \$30,000,000 is hereby transferred and made available in such fiscal years for grants under this section.”

“(2) Appropriations.—For the purpose of making grants under this section, there is appropriated, out of any funds in the Treasury not otherwise appropriated –

- (A) \$70,000,000 for each of fiscal years 2001 and 2002 (which shall be combined with amounts transferred under paragraph (1) for each such fiscal years);
- (B) \$100,000,000 for fiscal year 2003; and
- (C) \$150,000,000 for fiscal years 2004 through 2013.”

This *Program* also has Congressionally-mandated reporting requirements. Section 4923 of the Balanced Budget Act of 1997, as amended by Section 931 of the Fiscal Year 2001 Consolidated Appropriations Act, Section 1(c) of the Public Health Service Act Amendment for Diabetes, and Section 303 of the Medicare Improvement for Patients and Providers Act of 2008, states that “The Secretary of Health and Human Services shall conduct an evaluation of the diabetes grant programs established under the amendments made by this chapter.”

Subsequently, the Secretary was required to submit to the appropriate committees of Congress –

- (1) an interim evaluation report not later than January 1, 2000, to the Senate Health, Education, Labor and Pensions Committee and the House Committee on Commerce, Subcommittee on Health and Environment;
- (2) a second interim evaluation report not later than January 1, 2007, to the Senate Health, Education, Labor and Pensions Committee; the House Energy and Commerce Committee; and the House Energy and Commerce Committee, Subcommittee on Health; and
- (3) a third evaluation report not later than January 1, 2011, to the Senate Health, Education, Labor and Pensions Committee; the Senate Finance Committee; the House Energy and Commerce Committee; the House Energy and Commerce Committee, Subcommittee on Health; and the House Ways and Means Committee.

In parallel with the *Special Statutory Funding Program for Type 1 Diabetes Research*, Congress established the *Special Diabetes Program for Indians*, which is administered by the Indian Health Service.

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**Cover images**—People participating in clinical research to combat type 1 diabetes and its complications (l-r): Nilia Olsen, Robert Watts, and Gina Ferrari. Scientific images (l-r): Artery occluded by lipid buildup (credit: NHLBI/NIH); human islet (credit: Steve Gschmeissner/Photo Researchers, Inc).