

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 2202**

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**AN ACT**

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.

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## AN ACT

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.

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 “Breast and Cervical  
5        Cancer Amendments of 1993”.

6        **SEC. 2. REVISIONS IN PROGRAM OF STATE GRANTS RE-**  
7        **GARDING BREAST AND CERVICAL CANCER.**

8        (a) LIMITED AUTHORITY REGARDING FOR-PROFIT  
9        ENTITIES.—

1           (1) IN GENERAL.—Section 1501(b) of the Pub-  
2     lic Health Service Act (42 U.S.C. 300k(b)) is  
3     amended—

4           (A) by striking “STATES.—A State” and  
5     all that follows through “may expend” and in-  
6     serting the following: “STATES.—

7           “(1) IN GENERAL.—A State receiving a grant  
8     under subsection (a) may, subject to paragraphs (2)  
9     and (3), expend”; and

10          (B) by adding at the end the following  
11     paragraphs:

12          “(2) LIMITED AUTHORITY REGARDING OTHER  
13     ENTITIES.—In addition to the authority established  
14     in paragraph (1) for a State with respect to grants  
15     and contracts, the State may provide for screenings  
16     under subsection (a)(1) through entering into con-  
17     tracts with private entities.

18          “(3) PAYMENTS FOR SCREENINGS.—The  
19     amount paid by a State to an entity under this sub-  
20     section for a screening procedure under subsection  
21     (a)(1) may not exceed the amount that would be  
22     paid under part B of title XVIII of the Social Secu-  
23     rity Act if payment were made under such part for  
24     furnishing the procedure to a woman enrolled under  
25     such part.”.

1           (2) CONFORMING AMENDMENT.—Section  
2           1505(3) of the Public Health Service Act (42 U.S.C.  
3           300n-1(3)) is amended by inserting before the semi-  
4           colon the following: “(and additionally, in the case of  
5           services and activities under section 1501(a)(1), with  
6           any similar services or activities of private entities)”.

7           (b) QUALITY ASSURANCE REGARDING SCREENING  
8           PROCEDURES.—

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

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

19          (2) TRANSITION RULE REGARDING MAMMO-  
20          GRAPHIES.—With respect to the screening procedure  
21          for breast cancer known as a mammography, the re-  
22          quirements in effect on the day before the date of  
23          the enactment of this Act under section 1503(c) of  
24          the Public Health Service Act remain in effect (for  
25          an individual or facility conducting such procedures

1 pursuant to a grant to a State under section 1501  
2 of such Act) until there is in effect for the facility  
3 a certificate (or provisional certificate) issued under  
4 section 354 of such Act.

5 (c) STATEWIDE PROVISION OF SERVICES.—Section  
6 1504(c) of the Public Health Service Act (42 U.S.C.  
7 300n(c)) is amended by adding at the end the following  
8 paragraph:

9 “(3) GRANTS TO TRIBES AND TRIBAL ORGANI-  
10 ZATIONS.—

11 “(A) The Secretary, acting through the Di-  
12 rector of the Centers for Disease Control and  
13 Prevention, may make grants to tribes and trib-  
14 al organizations (as such terms are used in  
15 paragraph (1)) for the purpose of carrying out  
16 programs described in section 1501(a). This  
17 title applies to such a grant (in relation to the  
18 jurisdiction of the tribe or organization) to the  
19 same extent and in the same manner as such  
20 title applies to a grant to a State under section  
21 1501 (in relation to the jurisdiction of the  
22 State).

23 “(B) If a tribe or tribal organization is re-  
24 ceiving a grant under subparagraph (A) and the  
25 State in which the tribe or organization is lo-

1 cated is receiving a grant under section 1501,  
2 the requirement established in paragraph (1)  
3 for the State regarding the tribe or organiza-  
4 tion is deemed to have been waived under para-  
5 graph (2).”.

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

9 (1) in subsection (a), by adding at the end the  
10 following sentence: “Such evaluations shall include  
11 evaluations of the extent to which States carrying  
12 out such programs are in compliance with section  
13 1501(a)(2) and with section 1504(c).”; and

14 (2) in subsection (b), by inserting before the pe-  
15 riod the following: “, including recommendations re-  
16 garding compliance by the States with section  
17 1501(a)(2) and with section 1504(c)”.

18 (e) ESTABLISHMENT OF COORDINATING COMMIT-  
19 TEE.—Section 1501 of the Public Health Service Act (42  
20 U.S.C. 300k) is amended by adding at the end the follow-  
21 ing subsection:

22 “(c) COORDINATING COMMITTEE REGARDING YEAR  
23 2000 HEALTH OBJECTIVES.—The Secretary, acting  
24 through the Director of the Centers for Disease Control  
25 and Prevention, shall establish a committee to coordinate

1 the activities of the agencies of the Public Health Service  
2 (and other appropriate Federal agencies) that are carried  
3 out toward achieving the objectives established by the Sec-  
4 retary for reductions in the incidence of breast and cer-  
5 vical cancer in the United States by the year 2000. Such  
6 committee shall be comprised of Federal officers or em-  
7 ployees designated by the heads of the agencies involved  
8 to serve on the committee as representatives of the agen-  
9 cies, and such representatives from other public or private  
10 entities as the Secretary determines to be appropriate.”.

11 (f) TECHNICAL CORRECTIONS.—Title XV of the Pub-  
12 lic Health Service Act (42 U.S.C. 300k et seq.) is amend-  
13 ed—

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

17 (2) in section 1505—

18 (A) in paragraph (3), by striking  
19 “nonprivate” and inserting “nonprofit private”;  
20 and

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

1 **SEC. 3. ESTABLISHMENT OF DEMONSTRATION PROGRAM**  
2 **OF GRANTS FOR ADDITIONAL PREVENTIVE**  
3 **HEALTH SERVICES FOR WOMEN.**

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

6 (1) by redesignating section 1509 as section  
7 1510; and

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

10 **“SEC. 1509. SUPPLEMENTAL GRANTS FOR ADDITIONAL**  
11 **PREVENTIVE HEALTH SERVICES.**

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

18 “(1) providing preventive health services in ad-  
19 dition to the services authorized in such section, in-  
20 cluding screenings regarding blood pressure and cho-  
21 lesterol, and including health education;

22 “(2) providing appropriate referrals for medical  
23 treatment of women receiving services pursuant to  
24 paragraph (1) and ensuring, to the extent prac-  
25 ticable, the provision of appropriate follow-up serv-  
26 ices; and



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

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

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

15          “(d) FUNDING.—

16                 “(1) IN GENERAL.—Subject to paragraph (2),  
17                 for the purpose of carrying out this section, there  
18                 are authorized to be appropriated \$3,000,000 for  
19                 fiscal year 1994, and such sums as may be nec-  
20                 essary for each of the fiscal years 1995 through  
21                 1998.

22                 “(2) LIMITATION REGARDING FUNDING WITH  
23                 RESPECT TO BREAST AND CERVICAL CANCER.—The  
24                 authorization of appropriations established in para-  
25                 graph (1) is not effective for a fiscal year unless the

1 amount appropriated under section 1510(a) for the  
2 fiscal year equals or exceeds the amount appro-  
3 priated under such section for the preceding fiscal  
4 year.”.

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

10 **SEC. 4. FUNDING FOR GENERAL PROGRAM.**

11 Section 1510(a) of the Public Health Service Act, as  
12 redesignated by section 3(a)(1) of this Act, is amended—

13 (1) by striking “and” after “1991,”; and

14 (2) by inserting before the period the following:

15 “, \$135,000,000 for fiscal year 1994, and such sums  
16 as may be necessary for each of the fiscal years  
17 1995 through 1998”.

Passed the House of Representatives June 14, 1993.

Attest:

*Clerk.*