

Union Calendar No. 64

103D CONGRESS
1ST SESSION

H. R. 2202

[Report No. 103-1201]

A BILL

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.

JUNE 10, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1993

Mr. WAXMAN (for himself, Mr. BLILEY, Mr. DINGELL, Mr. MOORHEAD, Mr. HALL of Texas, Mr. ROWLAND, Mr. TOWNS, Mr. STUDDS, Mr. KREIDLER, Mr. BILIRAKIS, Mr. McMILLAN, and Mr. GREENWOOD) introduced the following bill; which was referred to the Committee on Energy and Commerce

JUNE 10, 1993

Additional sponsors: Mr. RICHARDSON, Mr. FRANKS of Connecticut, and Mr. UPTON

JUNE 10, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 20, 1993]

A BILL

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.—*

10 *(1) IN GENERAL.—Section 1501(b) of the Public*
11 *Health Service Act (42 U.S.C. 300k(b)) is amended—*

12 *(A) by striking “STATES.—A State” and all*
13 *that follows through “may expend” and inserting*
14 *the following: “STATES.—*

15 *“(1) IN GENERAL.—A State receiving a grant*
16 *under subsection (a) may, subject to paragraphs (2)*
17 *and (3), expend”;* and

18 *(B) by adding at the end the following*
19 *paragraphs:*

20 *“(2) LIMITED AUTHORITY REGARDING OTHER*
21 *ENTITIES.—In addition to the authority established*
22 *in paragraph (1) for a State with respect to grants*
23 *and contracts, the State may provide for screenings*
24 *under subsection (a)(1) through entering into con-*
25 *tracts with private entities.*

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

8 (2) *CONFORMING AMENDMENT.*—Section 1505(3)
9 of the Public Health Service Act (42 U.S.C. 300n-
10 1(3)) is amended by inserting before the semicolon the
11 following: “(and additionally, in the case of services
12 and activities under section 1501(a)(1), with any
13 similar services or activities of private entities)”.

14 (b) *QUALITY ASSURANCE REGARDING SCREENING*
15 *PROCEDURES.*—

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

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

1 (2) *TRANSITION RULE REGARDING MAMMO-*
2 *GRAPHIES.*—*With respect to the screening procedure*
3 *for breast cancer known as a mammography, the re-*
4 *quirements in effect on the day before the date of the*
5 *enactment of this Act under section 1503(c) of the*
6 *Public Health Service Act remain in effect (for an in-*
7 *dividual or facility conducting such procedures pur-*
8 *suant to a grant to a State under section 1501 of such*
9 *Act) until there is in effect for the facility a certifi-*
10 *cate (or provisional certificate) issued under section*
11 *354 of such Act.*

12 (c) *STATEWIDE PROVISION OF SERVICES.*—*Section*
13 *1504(c) of the Public Health Service Act (42 U.S.C.*
14 *300n(c)) is amended by adding at the end the following*
15 *paragraph:*

16 “(3) *GRANTS TO TRIBES AND TRIBAL ORGANIZA-*
17 *TIONS.*—

18 “(A) *The Secretary, acting through the Di-*
19 *rector of the Centers for Disease Control and*
20 *Prevention, may make grants to tribes and tribal*
21 *organizations (as such terms are used in para-*
22 *graph (1)) for the purpose of carrying out pro-*
23 *grams described in section 1501(a). This title ap-*
24 *plies to such a grant (in relation to the jurisdic-*
25 *tion of the tribe or organization) to the same ex-*

1 *tent and in the same manner as such title ap-*
2 *plies to a grant to a State under section 1501*
3 *(in relation to the jurisdiction of the State).*

4 “(B) *If a tribe or tribal organization is re-*
5 *ceiving a grant under subparagraph (A) and the*
6 *State in which the tribe or organization is lo-*
7 *cated is receiving a grant under section 1501, the*
8 *requirement established in paragraph (1) for the*
9 *State regarding the tribe or organization is*
10 *deemed to have been waived under paragraph*
11 *(2).”.*

12 (d) *EVALUATIONS AND REPORTS.*—*Section 1508 of the*
13 *Public Health Service Act (42 U.S.C. 300n-4) is amend-*
14 *ed—*

15 (1) *in subsection (a), by adding at the end the*
16 *following sentence: “Such evaluations shall include*
17 *evaluations of the extent to which States carrying out*
18 *such programs are in compliance with section*
19 *1501(a)(2) and with section 1504(c).”;* and

20 (2) *in subsection (b), by inserting before the pe-*
21 *riod the following: “, including recommendations re-*
22 *garding compliance by the States with section*
23 *1501(a)(2) and with section 1504(c).”.*

24 (e) *ESTABLISHMENT OF COORDINATING COMMIT-*
25 *TEE.*—*Section 1501 of the Public Health Service Act (42*

1 *U.S.C. 300k) is amended by adding at the end the following*
2 *subsection:*

3 “(c) *COORDINATING COMMITTEE REGARDING YEAR*
4 *2000 HEALTH OBJECTIVES.—The Secretary, acting*
5 *through the Director of the Centers for Disease Control and*
6 *Prevention, shall establish a committee to coordinate the ac-*
7 *tivities of the agencies of the Public Health Service (and*
8 *other appropriate Federal agencies) that are carried out to-*
9 *ward achieving the objectives established by the Secretary*
10 *for reductions in the incidence of breast and cervical cancer*
11 *in the United States by the year 2000. Such committee shall*
12 *be comprised of Federal officers or employees designated by*
13 *the heads of the agencies involved to serve on the committee*
14 *as representatives of the agencies, and such representatives*
15 *from other public or private entities as the Secretary deter-*
16 *mines to be appropriate.”.*

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

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

22 (2) *in section 1505—*

23 (A) *in paragraph (3), by striking*
24 *“nonprivate” and inserting “nonprofit private”;*
25 *and*

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

3 **SEC. 3. ESTABLISHMENT OF DEMONSTRATION PROGRAM**
4 **OF GRANTS FOR ADDITIONAL PREVENTIVE**
5 **HEALTH SERVICES FOR WOMEN.**

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

8 (1) by redesignating section 1509 as section
9 1510; and

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

12 **“SEC. 1509. SUPPLEMENTAL GRANTS FOR ADDITIONAL PRE-**
13 **VENTIVE HEALTH SERVICES.**

14 “(a) *DEMONSTRATION PROJECTS.*—In the case of
15 States receiving grants under section 1501, the Secretary,
16 acting through the Director of the Centers for Disease Con-
17 trol and Prevention, may make grants to not more than
18 3 such States to carry out demonstration projects for the
19 purpose of—

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

24 “(2) providing appropriate referrals for medical
25 treatment of women receiving services pursuant to

1 *paragraph (1) and ensuring, to the extent practicable,*
2 *the provision of appropriate follow-up services; and*

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

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

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

16 “(d) *FUNDING.—*

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

22 “(2) *LIMITATION REGARDING FUNDING WITH RE-*
23 *SPECT TO BREAST AND CERVICAL CANCER.—The au-*
24 *thorization 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 appropriated*
3 *under such section for the preceding fiscal year.”.*

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

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

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

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

13 (2) *by inserting before the period the following:*

14 *“; \$135,000,000 for fiscal year 1994, and such sums*
15 *as may be necessary for each of the fiscal years 1995*
16 *through 1998”.*