

104TH CONGRESS
2D SESSION

H. R. 3174

To amend the Public Health Service Act to provide for programs regarding women and the human immunodeficiency virus.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1996

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Public Health Service Act to provide for programs regarding women and the human immunodeficiency virus.

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 “Women and HIV Out-
5 reach and Prevention Act”.

1 **SEC. 2. PREVENTIVE HEALTH PROGRAMS REGARDING**
2 **WOMEN AND HUMAN IMMUNODEFICIENCY**
3 **VIRUS.**

4 Title XXV of the Public Health Service Act (42
5 U.S.C. 300ee et seq.) is amended by adding at the end
6 the following part:

7 “PART C—PROGRAMS FOR WOMEN

8 **“SEC. 2531. PREVENTIVE HEALTH SERVICES.**

9 “(a) IN GENERAL.—The Secretary may make grants
10 for the following purposes:

11 “(1) Providing to women preventive health serv-
12 ices that are related to acquired immune deficiency
13 syndrome, including—

14 “(A) providing prevention education on the
15 human immunodeficiency virus (in this part re-
16 ferred to as ‘HIV’), including counseling on all
17 modes of transmission between individuals, in-
18 cluding sexual contact, the use of IV drugs, and
19 maternal-fetal transmission;

20 “(B) making available voluntary HIV test-
21 ing services to women; and

22 “(C) providing effective and close linkages
23 between testing and care services for women.

24 “(2) Providing appropriate referrals regarding
25 the provision of other services to women who are re-
26 ceiving services pursuant to paragraph (1), includ-

1 ing, as appropriate, referrals regarding the follow-
2 ing: treatment for HIV infection; treatment for sub-
3 stance abuse; mental health services; pregnancy and
4 childbirth; pediatric care; housing services; public as-
5 sistance; job training; child care; respite care; repro-
6 ductive health care; and domestic violence.

7 “(3) Providing follow-up services regarding
8 such referrals, to the extent practicable.

9 “(4) Improving referral arrangements for pur-
10 poses of paragraph (2).

11 “(5) In the case of a woman receiving services
12 pursuant to any of paragraphs (1) through (3), pro-
13 viding to the partner of the woman the services de-
14 scribed in such paragraphs, as appropriate.

15 “(6) With respect to the services specified in
16 paragraphs (1) through (5)—

17 “(A) providing outreach services to inform
18 women of the availability of such services; and

19 “(B) providing training regarding the ef-
20 fective provision of such services.

21 “(b) MINIMUM QUALIFICATIONS OF GRANTEES.—

22 The Secretary may make a grant under subsection (a)
23 only if the applicant for the grant is a grantee under sec-
24 tion 329, section 330, or section 1001, or is another public
25 or nonprofit private entity that provides health or vol-

1 untary family planning services to a significant number
2 of low-income women in a culturally sensitive and lan-
3 guage-appropriate manner.

4 “(c) CONFIDENTIALITY.—The Secretary may make a
5 grant under subsection (a) only if the applicant for the
6 grant agrees to maintain the confidentiality of information
7 on individuals regarding screenings pursuant to subsection
8 (a), subject to complying with applicable law.

9 “(d) APPLICATION FOR GRANT.—The Secretary may
10 make a grant under subsection (a) only if an application
11 for the grant is submitted to the Secretary and the appli-
12 cation is in such form, is made in such manner, and con-
13 tains such agreements, assurances, and information as the
14 Secretary determines to be necessary to carry out such
15 subsection.

16 “(e) EVALUATIONS AND REPORTS.—

17 “(1) EVALUATIONS.—The Secretary shall, di-
18 rectly or through contracts with public or private en-
19 tities, provide for evaluations of projects carried out
20 pursuant to subsection (a).

21 “(2) REPORTS.—Not later than 1 year after the
22 date on which amounts are first appropriated under
23 subsection (f), and annually thereafter, the Sec-
24 retary shall submit to the Congress a report summa-

1 rizing evaluations carried out under paragraph (1)
2 during the preceding fiscal year.

3 “(f) AUTHORIZATIONS OF APPROPRIATIONS.—

4 “(1) TITLE X CLINICS.—For the purpose of
5 making grants under subsection (a) to entities that
6 are grantees under section 1001, and for the pur-
7 pose of otherwise carrying out this section with re-
8 spect to such grants, there are authorized to be ap-
9 propriated \$30,000,000 for fiscal year 1997, and
10 such sums as may be necessary for each of the fiscal
11 years 1998 and 1999.

12 “(2) COMMUNITY AND MIGRANT HEALTH CEN-
13 TERS; OTHER PROVIDERS.—For the purpose of mak-
14 ing grants under subsection (a) to entities that are
15 grantees under section 329 or 330, and to other en-
16 tities described in subsection (b) that are not grant-
17 ees under section 1001, and for the purpose of oth-
18 erwise carrying out this section with respect to such
19 grants, there are authorized to be appropriated
20 \$20,000,000 for fiscal year 1997, and such sums as
21 may be necessary for each of the fiscal years 1998
22 and 1999.

23 **“SEC. 2532. PUBLIC EDUCATION.**

24 “(a) IN GENERAL.—The Secretary may make grants
25 for the purpose of developing and carrying out programs

1 to provide HIV prevention education to women, including
2 education on all modes of transmission between individ-
3 uals, including sexual contact, the use of IV drugs, and
4 maternal-fetal transmission.

5 “(b) MINIMUM QUALIFICATIONS OF GRANTEEES.—
6 The Secretary may make a grant under subsection (a)
7 only if the applicant involved is a public or nonprofit pri-
8 vate entity that is experienced in carrying out health-relat-
9 ed activities for women, with a priority given to such enti-
10 ties that have successfully targeted women of color.

11 “(c) APPLICATION FOR GRANT.—The Secretary may
12 make a grant under subsection (a) only if an application
13 for the grant is submitted to the Secretary and the appli-
14 cation is in such form, is made in such manner, and con-
15 tains such agreements, assurances, and information as the
16 Secretary determines to be necessary to carry out such
17 subsection.

18 “(d) PROVISIONS REGARDING PLANNING COUN-
19 CILS.—In carrying out the mission of the Community HIV
20 Planning Process, the Secretary shall ensure that women
21 who represent women’s interests and have expertise on
22 women’s health, HIV positive women, and their advocates
23 are included on the Planning Councils, that financial re-
24 sources are allocated to ensure such representation, and

1 that Planning Councils use qualitative data based on wom-
2 en's experiences.

3 “(e) EVALUATIONS AND REPORTS.—

4 “(1) EVALUATIONS.—The Secretary shall, di-
5 rectly or through contracts with public or private en-
6 tities, provide for evaluations of projects carried out
7 pursuant to subsection (a).

8 “(2) REPORTS.—Not later than 1 year after the
9 date on which amounts are first appropriated under
10 subsection (e), and annually thereafter, the Sec-
11 retary shall submit to the Congress a report summa-
12 rizing evaluations carried out under paragraph (1)
13 during the preceding fiscal year.

14 “(e) AUTHORIZATIONS OF APPROPRIATIONS.—For
15 the purpose of carrying out this section, there are author-
16 ized to be appropriated \$30,000,000 for fiscal year 1997,
17 and such sums as may be necessary for each of the fiscal
18 years 1998 and 1999.”.

19 **SEC. 3. TREATMENT OF WOMEN FOR SUBSTANCE ABUSE.**

20 Subpart 1 of part B of title V of the Public Health
21 Service Act (42 U.S.C. 290bb et seq.), as amended by sec-
22 tion 108 of Public Law 102-321 (106 Stat. 336), is
23 amended by inserting after section 509 the following sec-
24 tion:

1 “TREATMENT OF WOMEN FOR SUBSTANCE ABUSE

2 “SEC. 509A. (a) IN GENERAL.—The Director of the
3 Center for Substance Abuse Treatment may make awards
4 of grants, cooperative agreements, and contracts for the
5 purpose of carrying out programs—

6 “(1) to provide treatment for substance abuse
7 to women, including but not limited to, women with
8 dependent children;

9 “(2) to provide to women who engage in such
10 abuse counseling on the prevention of infection with,
11 and the transmission of, the etiologic agent for ac-
12 quired immune deficiency syndrome; and

13 “(3) to provide such counseling to women who
14 are the partners of individuals who engage in such
15 abuse.

16 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the
17 purpose of carrying out subsection (a), there are author-
18 ized to be appropriated \$20,000,000 for fiscal year 1997,
19 and such sums as may be necessary for each of the fiscal
20 years 1998 and 1999.”.

21 **SEC. 4. EARLY INTERVENTION SERVICES FOR WOMEN.**

22 Section 2655 of the Public Health Service Act (42
23 U.S.C. 300ff-55) is amended—

24 (1) by striking “For the purpose of” and insert-
25 ing “(a) IN GENERAL.—For the purpose of”; and

1 (2) by adding at the end the following sub-
2 section:

3 “(b) PROGRAMS FOR WOMEN.—For the purpose of
4 making grants under section 2651 to provide to women
5 early intervention services described in such section, and
6 for the purpose of providing technical assistance under
7 section 2654(b) with respect to such grants, there are au-
8 thorized to be appropriated \$20,000,000 for fiscal year
9 1997, and such sums as may be necessary for each of the
10 fiscal years 1998 and 1999.”.

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