

105TH CONGRESS
1ST SESSION

S. 990

To amend the Public Health Service Act to establish the National Institute of Biomedical Imaging.

IN THE SENATE OF THE UNITED STATES

JULY 7, 1997

Mr. FAIRCLOTH introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Public Health Service Act to establish the National Institute of Biomedical Imaging.

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 “National Institute of
5 Biomedical Imaging Establishment Act”.

6 **SEC. 2. ESTABLISHMENT OF NATIONAL INSTITUTE OF BIO-**
7 **MEDICAL IMAGING.**

8 (a) IN GENERAL.—Part C of title IV of the Public
9 Health Service Act (42 U.S.C. 285 et seq.) is amended
10 by adding at the end the following subpart:

1 “Subpart 18—National Institute of Biomedical Imaging

2 “PURPOSE OF THE INSTITUTE

3 “SEC. 464Z. (a) PURPOSE.—The general purpose of
4 the National Institute of Biomedical Imaging (in this sec-
5 tion referred to as the ‘Institute’) is the conduct and sup-
6 port of research, training, the dissemination of health in-
7 formation, and other programs with respect to radiologic
8 and other imaging modalities, imaging techniques, and im-
9 aging technologies with biomedical applications (in this
10 section referred to as ‘biomedical imaging’).

11 “(b) NATIONAL BIOMEDICAL IMAGING PROGRAM.—

12 “(1) ESTABLISHMENT.—The Director of the
13 Institute, with the advice of the Institute’s advisory
14 council, shall establish a National Biomedical Imag-
15 ing Program (in this section referred to as the ‘Pro-
16 gram’).

17 “(2) ACTIVITIES.—Activities under the Pro-
18 gram shall include the following with respect to bio-
19 medical imaging:

20 “(A) Research into the development of new
21 techniques and devices.

22 “(B) Related research in physics, computer
23 science, information sciences, and other dis-
24 ciplines.

1 “(C) Technology assessments and out-
2 comes studies to evaluate the effectiveness of
3 devices and procedures.

4 “(D) Research in screening for diseases
5 and disorders.

6 “(E) The advancement of existing modali-
7 ties (such as x ray imaging, computed tomog-
8 raphy, magnetic resonance imaging, magnetic
9 resonance spectroscopy, positron emission to-
10 mography, single photon emission computed to-
11 mography, ultrasound, and bioelectric and bio-
12 magnetic imaging).

13 “(F) The development of image-enhancing
14 agents, contrast media, and
15 radiopharmaceuticals.

16 “(G) The development of image-enhancing
17 agents and advanced technologies and tech-
18 niques for molecular and genetic imaging.

19 “(H) The development of new techniques
20 and devices for imaging-guided surgery and re-
21 lated interventional procedures.

22 “(I) Research into technologies to enhance
23 and expand the potential applications of picture
24 archiving, communication systems, and tele-
25 medicine.

1 “(3) PLAN.—

2 “(A) IN GENERAL.—With respect to the
3 Program, the Director or the Institute shall
4 prepare and transmit to the Secretary and the
5 Director of NIH a plan to initiate, expand, in-
6 tensify, and coordinate activities of the Institute
7 respecting biomedical imaging. The plan shall
8 include such comments and recommendations
9 as the Director of the Institute determines ap-
10 propriate. The Director of the Institute shall
11 periodically review and revise the plan and shall
12 transmit any revisions of the plan to the Sec-
13 retary and the Director of NIH.

14 “(B) CONTENTS.—The plan under sub-
15 paragraph (A) shall include the recommenda-
16 tions of the Director of the Institute with re-
17 spect to the following:

18 “(i) The consolidation of programs of
19 the National Institutes of Health for the
20 conduct or support of activities regarding
21 biomedical imaging.

22 “(ii) The establishment of a center
23 within the Institute to coordinate imaging
24 research activities conducted or supported
25 by Federal agencies and to facilitate the

1 transfer of biomedical imaging tech-
2 nologies.

3 “(c) ADVISORY COUNCIL.—The establishment under
4 section 406 of an advisory council for the Institute is sub-
5 ject to the following:

6 “(1) The number of members appointed by the
7 Secretary shall be 12.

8 “(2) Of such members—

9 “(A) 6 members shall be scientists, physi-
10 cians, and other health professionals who rep-
11 resent disciplines in biomedical imaging and
12 who are not officers or employees of the United
13 States; and

14 “(B) 6 members shall be scientists, physi-
15 cians, and other health professionals who rep-
16 resent other disciplines and are knowledgeable
17 about the applications of biomedical imaging in
18 medicine, and who are not officers or employees
19 of the United States.

20 “(3) In addition to the ex officio members spec-
21 ified in section 406(b)(2), the ex officio members of
22 the advisory council shall include the Director of the
23 Centers for Disease Control and Prevention, the Di-
24 rector of the National Science Foundation, and the

1 Director of the National Institute of Standards and
2 Technology (or the designees of such officers).

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—

4 “(1) IN GENERAL.—Subject to paragraph (2),
5 for the purpose of carrying out this section:

6 “(A) For fiscal year 1997, there is author-
7 ized to be appropriated an amount equal to the
8 amount obligated by the National Institutes of
9 Health during fiscal year 1996 for biomedical
10 imaging, except that such amount shall be ad-
11 justed to offset any inflation occurring after Oc-
12 tober 1, 1995.

13 “(B) For each of the fiscal years 1998 and
14 1999, there is authorized to be appropriated an
15 amount equal to the amount appropriated
16 under subparagraph (A) for fiscal year 1997,
17 except that such amount shall be adjusted for
18 the fiscal year involved to offset any inflation
19 occurring after October 1, 1996.

20 “(2) REDUCTION.—The authorization of appro-
21 priations for a fiscal year under paragraph (1) is
22 hereby reduced by the amount of any appropriation
23 made for such year for the conduct or support by
24 any other national research institute of any program
25 with respect to biomedical imaging.”.

1 (b) USE OF EXISTING RESOURCES.—In providing for
2 the establishment of the National Institute of Biomedical
3 Imaging pursuant to the amendment made by subsection
4 (a), the Director of the National Institutes of Health (re-
5 ferred to in this subsection as “NIH”)—

6 (1) may transfer to the National Institute of
7 Biomedical Imaging such personnel of NIH as the
8 Director determines to be appropriate;

9 (2) may, for quarters for such Institute, utilize
10 such facilities of NIH as the Director determines to
11 be appropriate; and

12 (3) may obtain administrative support for the
13 Institute from the other agencies of NIH, including
14 the other national research institutes.

15 (c) CONSTRUCTION OF FACILITIES.—None of the
16 provisions of this Act or the amendments made by the Act
17 may be construed as authorizing the construction of facili-
18 ties, or the acquisition of land, for purposes of the estab-
19 lishment or operation of the National Institute of Bio-
20 medical Imaging.

21 (d) DATE CERTAIN FOR ESTABLISHMENT OF ADVI-
22 SORY COUNCIL.—Not later than 90 days after the effec-
23 tive date of this Act under section 3, the Secretary of
24 Health and Human Services shall complete the establish-
25 ment of an advisory council for the National Institute of

1 Biomedical Imaging in accordance with section 406 of the
2 Public Health Service Act (42 U.S.C. 284a) and in accord-
3 ance with section 464Z of such Act (as added by sub-
4 section (a) of this section).

5 (e) CONFORMING AMENDMENT.—Section 401(b)(1)
6 of the Public Health Service Act (42 U.S.C. 281(b)(1))
7 is amended by adding at the end the following subpara-
8 graph:

9 “(R) The National Institute of Biomedical Im-
10 aging.”.

11 **SEC. 3. EFFECTIVE DATE.**

12 This Act takes effect October 1, 1997, or upon the
13 date of the enactment of this Act, whichever occurs later.

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