

107TH CONGRESS
1ST SESSION

H. R. 3253

To amend title 38, United States Code, to provide for the establishment of emergency medical preparedness centers in the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2001

Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BILIRAKIS, Mr. RODRIGUEZ, Mr. BUYER, and Mr. STEARNS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for the establishment of emergency medical preparedness centers in the Department of Veterans Affairs.

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 Medical
5 Emergency Preparedness Act of 2001”.

1 **SEC. 2. ESTABLISHMENT OF EMERGENCY MEDICAL PRE-**
2 **PAREDNESS CENTERS.**

3 (a) IN GENERAL.—(1) Subchapter II of chapter 73
4 of title 38, United States Code, is amended by adding at
5 the end the following new section:

6 **“§ 7323. Medical emergency preparedness centers**

7 “(a) ESTABLISHMENT OF CENTERS.—(1) The Sec-
8 retary shall establish at least four medical emergency pre-
9 paredness centers in accordance with this section. Each
10 such center shall be established at a Department medical
11 center and shall be staffed by Department employees.

12 “(2) The official within the central office of the Vet-
13 erans Health Administration responsible for medical pre-
14 paredness shall be responsible for supervising the oper-
15 ation of the centers established pursuant to this section
16 and shall provide for ongoing evaluation of the centers and
17 their compliance with the requirements of this section.

18 “(b) MISSION.—The mission of the centers shall be—

19 “(1) to carry out research on and develop meth-
20 ods of detection, diagnosis, vaccination, protection,
21 and treatment for chemical, biological, and radio-
22 logical threats to the public health and safety;

23 “(2) to provide education, training, and advice
24 to health-care professionals, including health-care
25 professionals outside the Veterans Health Adminis-
26 tration; and

1 “(3) to provide contingent rapid response lab-
2 oratory assistance and other assistance to local
3 health care authorities in the event of a national
4 emergency.

5 “(c) CENTER DIRECTORS.—Each center shall have a
6 Director with (1) expertise in managing organizations that
7 deal with threats referred to in subsection (b), (2) exper-
8 tise in providing care to populations exposed to toxic sub-
9 stances, or (3) significant research experience in those
10 fields.

11 “(d) SELECTION OF CENTERS.—(1) The Secretary
12 shall select the sites for the centers on the basis of a com-
13 petitive selection process and a finding under paragraph
14 (2). The centers selected shall be located in different re-
15 gions of the Nation, and any such center may be a consor-
16 tium of efforts of more than one medical center. At least
17 one of the centers shall be established to concentrate on
18 chemical threats, at least one shall be established to con-
19 centrate on biological threats, and at least one shall be
20 established to concentrate on radiological threats.

21 “(2) The finding referred to in paragraph (1) with
22 respect to a proposal for designation of a site as a location
23 of a center under this section is a finding by the Secretary,
24 upon the recommendation of the Under Secretary for
25 Health, that the facility or facilities submitting the pro-

1 posal have developed (or may reasonably be anticipated
2 to develop) each of the following:

3 “(A) An arrangement with a qualifying medical
4 school and a qualifying school of public health (or a
5 consortium of such schools) under which physicians
6 and other persons in the health field receive edu-
7 cation and training through the participating De-
8 partment medical centers so as to provide those per-
9 sons with training in the diagnosis and treatment of
10 illnesses induced by exposures to toxins, including
11 chemical and biological substances and nuclear ion-
12 izing radiation.

13 “(B) An arrangement with an accredited grad-
14 uate program of epidemiology under which students
15 receive education and training in epidemiology
16 through the participating Department facilities so as
17 to provide such students with training in the epide-
18 miology of contagious and infectious diseases and
19 chemical and radiation poisoning in an exposed pop-
20 ulation.

21 “(C) An arrangement under which nursing, so-
22 cial work, counseling, or allied health personnel and
23 students receive training and education in recog-
24 nizing and caring for conditions associated with ex-

1 posures to toxins through the participating Depart-
2 ment facilities.

3 “(D) The ability to attract scientists who have
4 made significant contributions to the development of
5 innovative approaches to the detection, diagnosis,
6 vaccination, protection, or treatment of persons ex-
7 posed to chemical, biological, or radiological sub-
8 stances.

9 “(3) For purposes of paragraph (2)(A)—

10 “(A) a qualifying medical school is an accred-
11 ited medical school that provides education and
12 training in toxicology and environmental health haz-
13 ards and with which one or more of the participating
14 Department medical centers is affiliated; and

15 “(B) a qualifying school of public health is an
16 accredited school of public health that provides edu-
17 cation and training in toxicology and environmental
18 health hazards and with which one or more of the
19 participating Department medical centers is affili-
20 ated.

21 “(e) FUNDING.—(1) Amounts appropriated for the
22 activities of the centers shall be appropriated separately
23 from amounts appropriated for the Department for med-
24 ical care.

1 “(2) There are authorized to be appropriated for the
2 centers under this section \$20,000,000 for each of fiscal
3 years 2002 through 2006.

4 “(3) In addition to funds appropriated for a fiscal
5 year pursuant to the authorization of appropriations in
6 paragraph (2), the Under Secretary for Health shall allo-
7 cate to such centers from other funds appropriated for
8 that fiscal year generally for the Department of Veterans
9 Affairs medical care account and the Department of Vet-
10 erans Affairs medical and prosthetics research account
11 such amounts as the Under Secretary for Health deter-
12 mines appropriate to carry out the purposes of this sec-
13 tion.

14 “(f) RESEARCH ACTIVITIES.—Each center shall con-
15 duct research on improved medical preparedness to protect
16 the Nation from threats in the area of that center’s exper-
17 tise. Each center may seek research funds from public and
18 private sources for such purpose.

19 “(g) PEER REVIEW PANEL.—(1) In order to provide
20 advice to assist the Secretary and the Under Secretary for
21 Health to carry out their responsibilities under this sec-
22 tion, the Under Secretary shall establish a peer review
23 panel to assess the scientific and clinical merit of pro-
24 posals that are submitted to the Secretary for the designa-
25 tion of centers under this section.

1 “(2) The peer review panel shall include experts in
2 the fields of toxicological research, bio-hazards manage-
3 ment education and training, radiology, clinical care of pa-
4 tients exposed to such hazards, and other persons as de-
5 termined appropriate by the Secretary. Members of the
6 panel shall serve as consultants to the Department.

7 “(3) The panel shall review each proposal submitted
8 to the panel by the officials referred to in paragraph (1)
9 and shall submit to the Under Secretary for Health its
10 views on the relative scientific and clinical merit of each
11 such proposal. The panel shall specifically determine with
12 respect to each such proposal whether that proposal is
13 among those proposals which have met the highest com-
14 petitive standards of scientific and clinical merit.

15 “(4) The panel shall not be subject to the Federal
16 Advisory Committee Act (5 U.S.C. App.).

17 “(h) RESEARCH PRODUCTS.—(1) The Under Sec-
18 retary for Health shall ensure that information produced
19 by the research, education and training, and clinical activi-
20 ties of centers established under this section is made avail-
21 able, as appropriate, to health-care providers in the United
22 States. Dissemination of such information shall be made
23 through publications, through programs of continuing
24 medical and related education provided through regional
25 medical education centers under subchapter VI of chapter

1 74 of this title, and through other means. Such programs
2 of continuing medical education shall receive priority in
3 the award of funding.

4 “(2) The Secretary shall ensure that the work of the
5 centers is conducted in close coordination with the Office
6 of Homeland Security and the Department of Defense,
7 and research products or other information of the centers
8 shall be coordinated and shared with that Office and the
9 Department of Defense.

10 “(i) ASSISTANCE TO OTHER AGENCIES.—The Sec-
11 retary may provide assistance requested by appropriate
12 Federal, State, and local civil and criminal authorities in
13 investigations, inquiries, and data analyses as necessary
14 to protect the public safety and prevent or obviate biologi-
15 cal, chemical, or radiological threats.

16 “(j) DETAIL OF EMPLOYEES FROM OTHER AGEN-
17 CIES.—Upon approval by the Secretary, the Director of
18 a center may request the temporary assignment or detail
19 to the center, on a nonreimbursable basis, of employees
20 from other Departments and agencies of the United States
21 who have expertise that would further the mission of the
22 center. Any such employee may be so assigned or detailed
23 on a nonreimbursable basis pursuant to such a request.
24 The duration of any such assignment or detail shall be

1 subject to approval by the Office of Personnel Manage-
2 ment.”.

3 (2) The table of sections at the beginning of such
4 chapter is amended by inserting after the item relating
5 to section 7322 the following new item:

“7323. Medical emergency preparedness centers.”.

6 (b) INITIAL FUNDING.—Funds for fiscal year 2002
7 for the medical emergency preparedness centers estab-
8 lished under section 7323 of title 38, United States Code,
9 as added by subsection (a), shall be provided from funds
10 made available under Public Law 107–38.

○