

AUTOMATIC DEFIBRILLATION IN ADAM'S MEMORY ACT

FEBRUARY 13, 2003.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. TAUZIN, from the Committee on Energy and Commerce, submitted the following

R E P O R T

[To accompany H.R. 389]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 389) to authorize the use of certain grant funds to establish an information clearinghouse that provides information to increase public access to defibrillation in schools, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 389 authorizes state public access defibrillation grants to be used to establish information clearinghouses to increase public access to defibrillation in schools.

BACKGROUND AND NEED FOR LEGISLATION

Automatic external defibrillators (AEDs) are widely used by emergency personnel and health professionals to assist individuals suffering from sudden cardiac arrest. The use of AEDs has proven effective to save lives when following the “chain of survival plan” developed by the American Heart Association, which includes an immediate call to 911, early CPR and defibrillation, and early advanced life support.

The Public Health Security and Bioterrorism Response Act (107–188) included a provision that authorizes the Secretary of the Department of Health and Human Services to award grants to states, political subdivisions of states, Indian tribes, and tribal organizations to develop and implement public access defibrillation programs. Because many schools also serve as community meeting places, several communities are considering placing AEDs in schools. In order to assist schools interested in installing AEDs, H.R. 389 clarifies that the public access defibrillation program grant dollars authorized by P.L. 107–188 may also be used to establish information clearinghouses to assist in those efforts.

HEARINGS

The Committee on Energy and Commerce has not held hearings on the legislation.

COMMITTEE CONSIDERATION

On Wednesday, January 29, 2003, the Full Committee on Energy and Commerce met in open markup session and ordered H.R. 389 favorably reported to the House, without amendment, by a voice vote, a quorum being present.

COMMITTEE VOTES

There were no record votes taken in connection with ordering H.R. 389 reported. A motion by Mr. Tauzin to order H.R. 389 reported to the House, without amendment, was agreed to by a voice vote.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee has not held oversight or legislative hearings on this legislation.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

The goal of H.R. 389 is to permit states to use public access defibrillation grants to establish information clearinghouses to increase public access to defibrillation in schools.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 389, the Automatic Defibrillation in Adam’s Memory Act, would result in no

new or increased budget authority, entitlement authority, or tax expenditures or revenues.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 11, 2003.

Hon. W. J. "BILLY" TAUZIN,
*Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 389, the Automatic Defibrillation in Adam's Memory Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Alexis Ahlstrom.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 389—Automatic Defibrillation in Adam's Memory Act

H.R. 389 would amend the Public Health Service Act to allow funds appropriated under section 312 to be spent to establish an information clearinghouse to increase access to defibrillation in schools. Under current law, section 312 authorizes the appropriation of \$25 million in 2003 and such sums as may be necessary from 2004 through 2006 for grants to states and tribal organizations to develop and implement public access defibrillation programs. H.R. 389 would create an additional use of the grant money authorized under section 312, but it would not increase the authorization level for grants under that section. Therefore, CBO estimates that the bill would not affect discretionary spending. Enacting H.R. 389 also would not affect direct spending or receipts.

This legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Alexis Ahlstrom. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 3, which grants Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 establishes the short title as the “Automatic Defibrillation in Adam’s Memory Act.”

Section 2. Amendment to the Public Health Service Act

Section 2 clarifies that public access defibrillation grants to states authorized by the Public Health Security and Bioterrorism Response Act (P.L. 107–188) may be used to establish information clearinghouses to increase public access to defibrillation in schools.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 312 OF THE PUBLIC HEALTH SERVICE ACT

SEC. 312. PUBLIC ACCESS DEFIBRILLATION PROGRAMS.

(a) * * *

* * * * *

(c) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under subsection (a) may use funds received through such grant to—

(1) * * *

* * * * *

(5) produce materials to encourage private companies, including small businesses, to purchase automated external defibrillators; **and**

(6) *establish an information clearinghouse that provides information to increase public access to defibrillation in schools; and*

[(6)] (7) further develop strategies to improve access to automated external defibrillators in public places.

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