

Calendar No. 133

108TH CONGRESS } 1st Session }	SENATE	{ REPORT 108-68
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POISON CONTROL CENTER ENHANCEMENT AND AWARENESS ACT AMENDMENTS OF 2003

JUNE 11, 2003.—Ordered to be printed

Mr. GREGG, from the Committee on Health, Education, Labor, and
Pensions, submitted the following

R E P O R T

[To accompany S. 686]

The Committee on Health, Education, Labor, and Pensions, to which was referred the bill (S. 686) to provide assistance for poison prevention and to stabilize the funding of regional poison control centers, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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I. PURPOSE AND NEED FOR LEGISLATION

Every year, approximately 122 children ages 14 and under die from unintentional poisoning. In 1992, more than 1.1 million children under age 6 were poisoned. Of these poisonings, nearly a million were addressed by poison control centers over the phone.

Currently, there are over 70 poison control centers nationwide. Since January 2002, these 70 poison control centers have fielded *over 1 million phone calls*. They commonly answer questions and concerns about what would typically be called poisonous products, such as cleaners and bleach. Children typically ingest household

products, such as cosmetics and personal care products, cleaning substances, pain relievers, foreign bodies, and plants.

Handling an average of one poison exposure every 15 seconds, our Nation's poison control centers are critical to the communities that they serve. The specially trained staff of pharmacists and nurses at poison control centers regularly answer questions about poisonings, drug abuse, product contents, substance identification interactions, and adverse reactions.

But poison control centers also can answer questions about products that people may not think are poisonous, including prescription or over-the-counter medications. Poison control centers can answer caller questions and direct the caller to seek medical attention if necessary.

The 2001 Presidential Task Force on Citizen Preparedness in the War on Terrorism recommended that Poison Control Centers be used as a source of public information and public education regarding potential biological, chemical and nuclear domestic terrorism. This expanded role may increase demand for poison control centers during times of national crisis.

The Poison Control Center Enhancement and Awareness Act Amendments of 2003 will provide the continued funding needed to ensure that the nationwide toll-free number stays up and running. The bill increases authorization—a total of \$36 million—for the Nation's poison control centers.

II. SUMMARY

The Poison Control Center Enhancement and Awareness Act Amendments of 2003 reauthorizes the activities of the Nation's poison control centers until 2009.

Authorized activities include developing standardized poison prevention and poison control promotion programs; developing standard patient management guidelines for commonly encountered toxic exposures; improving national toxic exposure surveillance; expanding the toxicologic expertise within poison control centers; and improving the capacity of poison control centers to answer high volumes of calls during times of national crisis.

In addition, the act maintains the national toll-free number, the nationwide media campaign to promote poison control center utilization, and allows for the implementation of a continuous toxicosurveillance of poison control center data.

From its inception in 1983, the toxic exposure surveillance system has grown dramatically, with increases in the number of participating poison centers, populations saved by those centers and reported human exposures.

These data collected by the system are used to identify hazards early, focus prevention education, guide clinical research, and direct training. The toxicosurveillance data have prompted product reformulations, repackaging, recalls and bans. The data are used to support regulatory actions and form the basis of post-marketing surveillance of newly released drugs and products.

III. HISTORY OF LEGISLATION AND VOTES IN COMMITTEE

On March 21, 2003, Senator DeWine, for himself and Senators Murray, Landrieu, Breaux, Bingaman, Inouye, and Bunning, intro-

duced S. 686, to reauthorize the Poison Control Enhancement and Awareness Act.

On May 14, 2003, the committee held an executive session to consider S. 686. After agreeing to a single amendment, the committee approved S. 686 by unanimous voice vote.

IV. EXPLANATION OF BILL AND COMMITTEE VIEWS

The committee understands the importance of poison control centers and the bill reauthorizes the full scope of activities for the Nation's poison control centers as well as reauthorizes the nationwide toll free number and the media campaign.

Publicizing the nationwide toll-free number (1-800-222-1222) has increased awareness of poison control centers, resulting in a decreased number of unnecessary emergency room visits. With the toll-free number, parents can be confident knowing that no matter where they are with their children, the toll-free number will connect them with a poison control center.

The committee authorizes the implementation of toxicosurveillance of poison control center data. Toxicosurveillance represents the collection of data relating to new and changing substances and commercial products that may be toxic. When a new product is developed, data on its potential toxicity will be collected by the toxicosurveillance program. As new products are constantly entering the market, it is critical that this data collection is up to date and widely disseminated to poison control centers nationwide.

V. COST ESTIMATE

S. 686—Poison Control Center Enhancement and Awareness Act Amendments of 2003

S. 686 would reauthorize the poison control program, which will expire in 2004, for the 2005–2009 period. That program, which is administered by the Health Resources and Services Administration, provides grants to regional poison control centers, maintains a toll-free poison information number, and conducts media campaigns to promote poison prevention. In addition to those activities, the bill would require the Secretary of Health and Human Services to help collect and analyze data from poison control centers.

The bill would authorize the appropriations of \$36 million in each of years 2005 through 2009 for the following purposes: \$30 million per year for grants to poison control centers, \$2 million per year for the maintenance of the toll-free number, \$1.5 million per year for the media campaign, and \$2.5 million for data analysis. Based on past spending for this program, CBO estimates that implementing S. 686 would cost \$11 million in 2005 and \$142 million over the 2005–2009 period, assuming the appropriation of the authorized amounts. Enacting S. 686 would have no effect on direct spending or receipts.

This legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. State, local, and tribal governments that operate poison control centers could benefit from some of the support activities authorized by the bill.

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

VI. REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the committee has determined that there will be minimal increases in the regulatory burden imposed by this bill.

VII. APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

The Committee has determined that there is no legislative impact.

VIII. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides the short title of the bill, the Poison Control Center Enhancement and Awareness Act Amendments of 2003.

Section 2. Findings

Section 2 lists several Congressional findings to highlight the recent important role of poison control centers.

Section 3. Maintenance of a national toll free number

Section 3 amends section 4 of the Poison Control Enhancement and Awareness Act to increase and extend the authorization for the toll free number. The amendment provides for \$2,000,000 in funding for each of fiscal years 2005 through 2009.

Section 4. Nationwide media campaign

Section 4 amends section 5 of the Poison Control Enhancement and Awareness Act to increase and extend the authorization for the nationwide media campaign. The nationwide media campaign is designed to educate the public and health care providers about poison prevention and the availability of poison control resources in local communities. The change provides for \$1,500,000 in funding for each of fiscal years 2005 through 2009.

Section 5. Poison control center program

Section 5 amends section 6 of the Poison Control Enhancement and Awareness Act to increase and extend the authorization for the regional poison control centers. The changes provides for \$30,000,000 in funding for each of fiscal years 2005 through 2009.

These grants are awarded to certified regional poison control centers for preventing and providing treatment recommendations for poisonings.

In addition, the grants may be used for other improvements, including developing standardized poison prevention and poison control promotion programs; developing standard patient management guidelines for commonly encountered toxic exposures; improving national toxic exposure surveillance; expanding the toxicologic expertise within poison control centers; and improving the capacity of poison control centers to answer high volumes of calls during times of national crisis.

Finally, the section authorizes the Secretary to waive certification requirements. Under this section, the Secretary may renew a waiver as long as the waiver and the renewal do not exceed 5 years.

Section 6. Nationwide toxicosurveillance of poison center data to promote hazard detection

Section 6 creates a new section 7 in the Poison Control Enhancement and Awareness Act. This section requires the Secretary to implement and maintain a national toxicosurveillance of poison control center data to detect new hazards from households products. The section clarifies that any contract or grant awarded under this section must be competitive. The Committee expects that contracts or grants awarded under this section be competed among any qualified, eligible entities, including professional organizations, universities, private research entities, and others. The section authorizes \$2,500,000 for each of fiscal years 2005 through 2009.

IX. CHANGES IN EXISTING LAW

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no changes is proposed is shown in roman):

* * * * *

POISON CONTROL CENTER ENHANCEMENT AND AWARENESS ACT

* * * * *

[SEC. 2. FINDINGS.

[Congress makes the following findings:

[(1) Each year more than 2,000,000 poisonings are reported to poison control centers throughout the United States. More than 90 percent of these poisonings happen in the home. Fifty-three percent of poisoning victims are children younger than 6 years of age.

[(2) Poison control centers are a valuable national resource that provide life-saving and cost-effective public health services. For every dollar spent on poison control centers, \$7 in medical costs are saved. The average cost of a poisoning exposure call is \$32, while the average cost if other parts of the medical system are involved is \$932. Over the last 2 decades, the instability and lack of funding has resulted in a steady decline in the number of poison control centers in the United States. Within just the last year, 2 poison control centers have been forced to close because of funding problems. A third poison control center is scheduled to close in April 1999. Currently, there are 73 such centers.

[(3) Stabilizing the funding structure and increasing accessibility to poison control centers will increase the number of United States residents who have access to a certified poison

control center, and reduce the inappropriate use of emergency medical services and other more costly healthcare services.】

SEC. 2. FINDINGS.

Congress finds the following:

(1) *Poison control centers are our Nation's primary defense against injury and deaths from poisoning. Twenty-four hours a day, the general public as well as health care practitioners contract their local poison centers for help in diagnosing and treating victims of poisoning and other toxic exposures.*

(2) *Poisoning is the third most common form of unintentional death in the United States. In any given year, there will be between 2,000,000 and 4,000,000 poison exposures. More than 50 percent of these exposures will involve children under the age of 6 who are exposed to toxic substances in their home. Poisoning accounts for 285,000 hospitalizations, 1,200,000 days of acute hospital care, and 13,000 fatalities annually.*

(3) *Stabilizing the funding structure and increasing accessibility to poison control centers will promote the utilization of poison control centers, and reduce the inappropriate use of emergency medical services and other more costly health care services.*

(4) *The tragic events of September 11, 2001, and the anthrax cases of October 2001, have dramatically changed our Nation. During this time period, poison centers in many areas of the country were answering thousands of additional calls from concerned residents. Many poison centers were relied upon as a source for accurate medical information about the disease and the complications resulting from prophylactic antibiotic therapy.*

(5) *The 2001 Presidential Task Force on Citizen Preparedness in the War on Terrorism recommended that the Poison Control Centers be used as a source of public information and public education regarding potential biological, chemical, and nuclear domestic terrorism.*

(6) *The increased demand placed upon poison centers to provide emergency information in the event of a terrorist event involving a biological, chemical, or nuclear toxin will dramatically increase call volume.*

* * * * *

[SEC. 4. ESTABLISHMENT OF A NATIONAL TOLL-FREE NUMBER.]

SEC. 4. MAINTENANCE OF A NATIONAL TOLL-FREE NUMBER.

(a) IN GENERAL.—* * *

(b) * * *

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$2,000,000 for each of the fiscal years 2000 through 2004 and \$2,000,000 for each of fiscal years 2005 through 2009. Funds appropriated under this subsection shall not be used to fund any toll-free phone number described in subsection (b).

* * * * *

[SEC. 5. ESTABLISHMENT OF NATIONWIDE MEDIA CAMPAIGN.]

SEC. 5. NATIONWIDE MEDIA CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION.

(a) IN GENERAL.—* * *

(b) * * *

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$600,000 for each of the fiscal years 2000 through 2004 and \$1,500,000 for each of fiscal years 2005 through 2009.

* * * * *

[SEC. 6. ESTABLISHMENT OF A GRANT PROGRAM.]

SEC. 6. MAINTENANCE OF THE POISON CONTROL CENTER GRANT PROGRAM.

(a) REGIONAL POISON CONTROL CENTERS.—The Secretary shall award grants to certified regional poison control centers for the purposes of achieving the financial stability of such centers, and for preventing and providing treatment recommendations for poisonings.

[(b) OTHER IMPROVEMENTS.—The Secretary shall also use amounts received under this section to—

[(1) develop standard education programs;

[(2) develop standard patient management protocols for commonly encountered toxic exposures;

[(3) improve and expand the poison control data collection systems;

[(4) improve national toxic exposure surveillance; and

[(5) expand the physician/medical toxicologist supervision of poison control centers.]]

(b) OTHER IMPROVEMENTS.—*The Secretary shall also use amounts received under this section to—*

(1) develop standardized poison prevention and poison control promotion programs;

(2) develop standard patient management guidelines for commonly encountered toxic exposures;

(3) improve and expand the poison control data collection systems;

(4) improve national toxic exposure surveillance;

(5) expand the toxicologic expertise within poison control centers; and

(6) improve the capacity of poison control centers to answer high volumes of calls during times of national crisis.

(c) CERTIFICATION.—* * *

* * * * *

(d) WAIVER OF CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—* * *

[(2) RENEWAL.—The Secretary may only renew a waiver under paragraph (1) for a period of 3 years.]]

(2) RENEWAL.—*The Secretary may renew a waiver under paragraph (1).*

(3) LIMITATION.—*In no instance may the sum of the number of years for a waiver under paragraph (1) and a renewal under paragraph (2) exceed 5 years. The preceding sentence shall take effect as if enacted on February 25, 2000.*

(e) * * *

(f) * * *

(g) * * *

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$25,000,000 for each of the fiscal years 2000 through 2004 *and \$30,000,000 for each of fiscal years 2005 through 2009.*

* * * * *

SEC. 7. NATIONWIDE TOXICOSURVEILLANCE OF POISON CENTER DATA TO PROMOTE HAZARD DETECTION.

(a) **IN GENERAL.**—*The Secretary shall assist in the implementation and maintenance of continuous national toxicosurveillance of poison control center data to detect new hazards from household products, pharmaceuticals, traditionally abused drugs, and other toxic substances.*

(b) **COMPETITIVE GRANT OR CONTRACT FOR SERVICES.**—*The Secretary may enter into a competitive grant or contract with a university, academic center, or other appropriate professional organization for the collection and analysis of poison center data described in subsection (a) in real time.*

(c) **AUTHORIZATION OF APPROPRIATIONS.**—*There is authorized to be appropriated to carry out this section, \$2,500,000 for each of fiscal years 2005 through 2009.*

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