

110TH CONGRESS  
1ST SESSION

# H. R. 2818

To amend title 38, United States Code, to provide for the establishment of Epilepsy Centers of Excellence in the Veterans Health Administration of the Department of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2007

Mr. PERLMUTTER (for himself, Mr. FILNER, Mr. MICHAUD, Mr. KENNEDY, Mr. SALAZAR, Mr. WEXLER, and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for the establishment of Epilepsy Centers of Excellence in the Veterans Health Administration of 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. EPILEPSY CENTERS OF EXCELLENCE.**

4 (a) REQUIREMENT FOR ESTABLISHMENT OF EPI-  
5 LEPSY CENTERS OF EXCELLENCE.—Subchapter II of  
6 chapter 73 of title 38, United States Code, is amended  
7 by adding at the end the following new section:

1 **“§ 7330A. Epilepsy centers of excellence**

2       “(a) ESTABLISHMENT OF CENTERS.—(1) Not later  
3 than 120 days after the date of enactment of this Act,  
4 the Secretary, upon the recommendation of the Under  
5 Secretary for Health, shall designate not less than six De-  
6 partment health-care facilities as the locations for epilepsy  
7 centers of excellence.

8       “(2) Subject to the availability of appropriations for  
9 such purpose, the Secretary shall establish and operate  
10 epilepsy centers of excellence at the locations designated  
11 pursuant to paragraph (1).

12       “(b) DESIGNATION OF FACILITIES.—(1) The Sec-  
13 retary may not designate a Department health-care facil-  
14 ity as a location for an epilepsy center of excellence under  
15 subsection (a)(1) unless the peer review panel established  
16 under subsection (c) has determined under that subsection  
17 that the proposal submitted by such facility seeking des-  
18 ignation as a location for an epilepsy center of excellence  
19 is among those proposals that meet the highest competi-  
20 tive standards of scientific and clinical merit.

21       “(2) In choosing from among the facilities meeting  
22 the requirements of paragraph (1), the Secretary shall  
23 also consider appropriate geographic distribution when  
24 designating the epilepsy centers of excellence under sub-  
25 section (a)(1).

1       “(c) PEER REVIEW PANEL.—(1) The Under Sec-  
2 retary for Health shall establish a peer review panel to  
3 assess the scientific and clinical merit of proposals that  
4 are submitted to the Secretary for the designation of epi-  
5 lepsy centers of excellence under this section.

6       “(2)(A) The membership of the peer review panel  
7 shall consist of experts on epilepsy, including post-trau-  
8 matic epilepsy.

9       “(B) Members of the peer review panel shall serve  
10 for a period of no longer than two years, except as speci-  
11 fied in subparagraph (C).

12       “(C) Of the members first appointed to the panel,  
13 one half shall be appointed for a period of three years and  
14 one half shall be appointed for a period of two years, as  
15 designated by the Under Secretary at the time of appoint-  
16 ment.

17       “(3) The peer review panel shall review each proposal  
18 submitted to the panel by the Under Secretary for Health  
19 and shall submit its views on the relative scientific and  
20 clinical merit of each such proposal to the Under Sec-  
21 retary.

22       “(4) The peer review panel shall not be subject to  
23 the Federal Advisory Committee Act.

24       “(d) PRIORITY OF FUNDING.—The Secretary shall  
25 ensure that each Department health-care facility that, as

1 of January 1, 2007, was operating a nationally designated  
2 VA Center of Excellence for Epilepsy Monitoring and is  
3 designated as an epilepsy center of excellence under sub-  
4 section (a)(1) shall receive adequate funding to enable  
5 those centers to function effectively in the areas of epilepsy  
6 research, education, and clinical care activities before pro-  
7 viding funds to facilities designated under subsection  
8 (a)(1) that were not operating a nationally designated VA  
9 Center of Excellence for Epilepsy Monitoring as of Janu-  
10 ary 1, 2007.

11 “(e) EPILEPSY CENTER OF EXCELLENCE DE-  
12 FINED.—The term ‘epilepsy center of excellence’ means a  
13 Department health-care facility that has (or in the foresee-  
14 able future can develop) the necessary capacity to function  
15 as a center of excellence in research, education, and clin-  
16 ical care activities in the diagnosis and treatment of epi-  
17 lepsy and has (or may reasonably be anticipated to de-  
18 velop) each of the following:

19 “(1) An affiliation with an accredited medical  
20 school that provides education and training in neu-  
21 rology, including an arrangement with such school  
22 under which medical residents receive education and  
23 training in the diagnosis and treatment of epilepsy  
24 (including neurosurgery).

1           “(2) The ability to attract the participation of  
2           scientists who are capable of ingenuity and creativity  
3           in health-care research efforts.

4           “(3) An advisory committee composed of vet-  
5           erans and appropriate health-care and research rep-  
6           resentatives of the facility and of the affiliated  
7           school or schools to advise the directors of such fa-  
8           cility and such center on policy matters pertaining to  
9           the activities of the center during the period of the  
10          operation of such center.

11          “(4) The capability to conduct effectively eval-  
12          uations of the activities of such center.

13          “(5) The capability to coordinate (as part of an  
14          integrated national system) education, clinical care,  
15          and research activities within all facilities with such  
16          centers.

17          “(6) The capability to develop jointly a national  
18          consortium of providers with interest in treating epi-  
19          lepsy at Department health-care facilities lacking  
20          such centers in order to ensure better access to  
21          state-of-the-art diagnosis, research, clinical care, and  
22          education for traumatic brain injury and epilepsy  
23          throughout the health-care system of the Depart-  
24          ment. Such consortium should include a designated

1 epilepsy referral clinic in each Veterans Integrated  
2 Service Network.

3 “(7) The capability to assist in the expansion of  
4 the Department’s use of information systems and  
5 databases to improve the quality and delivery of care  
6 for veterans enrolled within the Department’s health  
7 care system.

8 “(8) The capability to assist in the expansion of  
9 the Department telehealth program to develop,  
10 transmit, monitor, and review neurological diag-  
11 nostic tests.

12 “(9) The ability to perform epilepsy research,  
13 education, and clinical care activities in collaboration  
14 with Department medical facilities that have centers  
15 for research, education, and clinical care activities  
16 on complex multi-trauma associated with combat in-  
17 juries established under section 7327.

18 “(f) ADMINISTRATION.—(1) In order to assist the  
19 Secretary and Under Secretary for Health in carrying out  
20 this section, a national coordinator for epilepsy programs  
21 shall report to the official responsible for neurology at the  
22 Veterans Health Administration and shall—

23 “(A) supervise the operation of the centers es-  
24 tablished pursuant to this section;

1           “(B) coordinate and support the national con-  
2           sortium of providers with interest in treating epi-  
3           lepsy at Department health-care facilities lacking  
4           such centers in order to ensure better access to  
5           state-of-the-art diagnosis, research, clinical care, and  
6           education for traumatic brain injury and epilepsy  
7           throughout the health-care system of the Depart-  
8           ment; and

9           “(C) conduct regular evaluations of the epilepsy  
10          centers of excellence to ensure compliance with the  
11          requirements of this section.

12          “(2) In addition to amounts authorized under sub-  
13          section (g), there are authorized to be appropriated such  
14          sums as may be necessary to fund such national coordi-  
15          nator.

16          “(g) AUTHORIZATION OF APPROPRIATIONS.—(1)  
17          There are authorized to be appropriated \$6 million for  
18          each fiscal year from fiscal year 2008 through fiscal year  
19          2012 for the support of the clinical care, research, and  
20          education activities of the epilepsy centers of excellence es-  
21          tablished and operated pursuant to subsection (a)(2).

22          “(2) There are authorized to be appropriated such  
23          sums as may be necessary after fiscal year 2012 for the  
24          support of the clinical care, research, and education activi-

1 ties of the epilepsy centers of excellence established and  
2 operated pursuant to subsection (a)(2).

3 “(3) The Secretary shall ensure that funds for such  
4 centers are designated for the first three years of oper-  
5 ation as a special purpose program for which funds are  
6 not allocated through the Veterans Equitable Resource Al-  
7 location system.

8 “(4) In addition to amounts authorized to be appro-  
9 priated under paragraph (1) for a fiscal year, the Under  
10 Secretary for Health shall allocate to such centers from  
11 other funds appropriated generally for the Department  
12 medical services account and medical and prosthetics re-  
13 search account, as appropriate, such amounts as the  
14 Under Secretary for Health determines appropriate.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 at the beginning of chapter 73 of title 38, United States  
17 Code, is amended by inserting after the item relating to  
18 section 7330 the following new item:

“7330A. Epilepsy centers of excellence.”.

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