

110TH CONGRESS
1ST SESSION

S. 2004

To amend title 38, United States Code, to establish epilepsy centers of excellence in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2007

Mrs. MURRAY (for herself and Mr. CRAIG) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish epilepsy centers of excellence in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

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) IN GENERAL.—Subchapter II of chapter 73 of
5 title 38, United States Code, is amended by adding at the
6 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 the enactment of this sec-
4 tion, the Secretary shall, upon the recommendation of the
5 Under Secretary for Health, designate not less than six
6 Department health-care facilities as the locations for epi-
7 lepsy 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) EPILEPSY CENTER OF EXCELLENCE DE-
25 FINED.—In this section, the term ‘epilepsy center of excel-

1 lence' means a Department health-care facility that has
2 (or in the foreseeable future can develop) the necessary
3 capacity to function as a center of excellence in research,
4 education, and clinical care activities in the diagnosis and
5 treatment of epilepsy and has (or may reasonably be an-
6 ticipated to develop) each of the following:

7 “(1) An affiliation with an accredited medical
8 school that provides education and training in neu-
9 rology, including an arrangement with such school
10 under which medical residents receive education and
11 training in the diagnosis and treatment of epilepsy
12 (including neurosurgery).

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

16 “(3) An advisory committee composed of vet-
17 erans and appropriate health-care and research rep-
18 resentatives of the facility and of the affiliated
19 school or schools to advise the directors of such fa-
20 cility and such center on policy matters pertaining to
21 the activities of the center during the period of the
22 operation of such center.

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

1 “(5) The capability to coordinate (as part of an
2 integrated national system) education, clinical care,
3 and research activities within all facilities with such
4 centers.

5 “(6) The capability to develop jointly a national
6 consortium of providers with interest in treating epi-
7 lepsy at Department health-care facilities lacking
8 such centers in order to ensure better access to
9 state-of-the-art diagnosis, research, clinical care, and
10 education for traumatic brain injury and epilepsy
11 throughout the health-care system of the Depart-
12 ment. Such consortium should include a designated
13 epilepsy referral clinic in each Veterans Integrated
14 Service Network.

15 “(7) The capability to assist in the expansion of
16 the Department’s use of information systems and
17 databases to improve the quality and delivery of care
18 for veterans enrolled within the Department’s health
19 care system.

20 “(8) The capability to assist in the expansion of
21 the Department telehealth program to develop,
22 transmit, monitor, and review neurological diag-
23 nostic tests.

24 “(9) The ability to perform epilepsy research,
25 education, and clinical care activities in collaboration

1 with Department medical facilities that have centers
2 for research, education, and clinical care activities
3 on complex multi-trauma associated with combat in-
4 juries established under section 7327 of this title.

5 “(e) NATIONAL COORDINATOR FOR EPILEPSY PRO-
6 GRAMS.—(1) To assist the Secretary and the Under Sec-
7 retary for Health in carrying out this section, the Sec-
8 retary shall designate an individual in the Veterans Health
9 Administration to act as a national coordinator for epi-
10 lepsy programs of the Veterans Health Administration.

11 “(2) The duties of the national coordinator for epi-
12 lepsy programs shall include the following:

13 “(A) To supervise the operation of the centers
14 established pursuant to this section.

15 “(B) To coordinate and support the national
16 consortium of providers with interest in treating epi-
17 lepsy at Department health-care facilities lacking
18 such centers in order to ensure better access to
19 state-of-the-art diagnosis, research, clinical care, and
20 education for traumatic brain injury and epilepsy
21 throughout the health-care system of the Depart-
22 ment.

23 “(C) To conduct regular evaluations of the epi-
24 lepsy centers of excellence to ensure compliance
25 with the requirements of this section.

1 “(3) In carrying out duties under this subsection, the
2 national coordinator for epilepsy programs shall report to
3 the official of the Veterans Health Administration respon-
4 sible for neurology.

5 “(f) AUTHORIZATION OF APPROPRIATIONS.—(1)
6 There are authorized to be appropriated \$6,000,000 for
7 each of fiscal years 2008 through 2012 for the support
8 of the clinical care, research, and education activities of
9 the epilepsy centers of excellence established and operated
10 pursuant to subsection (a)(2).

11 “(2) There are authorized to be appropriated for each
12 fiscal year after fiscal year 2012 such sums as may be
13 necessary for the support of the clinical care, research,
14 and education activities of the epilepsy centers of excel-
15 lence established and operated pursuant to subsection
16 (a)(2).

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

22 “(4) In addition to amounts authorized to be appro-
23 priated under paragraphs (1) and (2) for a fiscal year,
24 the Under Secretary for Health shall allocate to such cen-
25 ters from other funds appropriated generally for the De-

1 partment medical services account and medical and pros-
2 thetics research account, as appropriate, such amounts as
3 the Under Secretary for Health determines appropriate.

4 “(5) In addition to amounts authorized to be appro-
5 priated under paragraphs (1) and (2) for a fiscal year,
6 there are authorized to be appropriated such sums as may
7 be necessary to fund the national coordinator established
8 by subsection (e).”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of chapter 73 of such title is amended
11 by inserting after the item relating to section 7330 the
12 following new item:

“7330A. Epilepsy centers of excellence.”.

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