

Calendar No. 483

113TH CONGRESS
2D SESSION**S. 2539**

To amend the Public Health Service Act to reauthorize certain programs relating to traumatic brain injury and to trauma research.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2014

Mr. HATCH (for himself, Mr. CASEY, Mr. KIRK, and Mr. HARKIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JULY 23, 2014

Reported by Mr. HARKIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Public Health Service Act to reauthorize certain programs relating to traumatic brain injury and to trauma research.

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 “Traumatic Brain In-
5 jury Reauthorization Act of 2014”.

1 **SEC. 2. CDC PROGRAMS FOR PREVENTION AND SURVEIL-**
 2 **LANCE OF TRAUMATIC BRAIN INJURY.**

3 (a) **IN GENERAL.**—Section 394A of the Public
 4 Health Service Act (42 U.S.C. 280b–3) is amended—

5 (1) by striking the section heading and all that
 6 follows through “For the purpose” and inserting the
 7 following:

8 **“SEC. 394A. AUTHORIZATION OF APPROPRIATIONS.**

9 “(a) **IN GENERAL.**—For the purpose”; and

10 (2) by adding at the end the following:

11 “(b) **TRAUMATIC BRAIN INJURY.**—To carry out sec-
 12 tions 393B and 393C, there are authorized to be appro-
 13 priated \$6,564,000 for each of fiscal years 2015 through
 14 2019.”.

15 (b) **TECHNICAL CORRECTION.**—Section 393B(b)(3)
 16 of the Public Health Service Act (42 U.S.C. 280b–
 17 1e(b)(3)) is amended “2010, commonly referred to as
 18 Healthy People 2010” and inserting “2020, commonly re-
 19 ferred to as Healthy People 2020”.

20 **SEC. 3. STATE GRANTS FOR PROJECTS REGARDING TRAU-**
 21 **MATIC BRAIN INJURY.**

22 Section 1252(j) of the Public Health Service Act (42
 23 U.S.C. 300d–52(j)) is amended, by striking “such sums
 24 as may be necessary for each of the fiscal years 2001
 25 through 2005, and such sums as may be necessary for
 26 each of the fiscal years 2009 through 2012” and inserting

1 “\$5,500,000 for each of the fiscal years 2015 through
2 2019”.

3 **SEC. 4. STATE GRANTS FOR PROTECTION AND ADVOCACY**
4 **SERVICES.**

5 Section 1253 of the Public Health Service Act (42
6 U.S.C. 300d-53) is amended—

7 (1) in subsection (l), by striking “\$5,000,000
8 for fiscal year 2001, and such sums as may be nec-
9 essary for each the fiscal years 2009 through 2012”
10 and inserting “\$3,100,000 for each of the fiscal
11 years 2015 through 2019”;

12 (2) in subsection (k), by striking “subtitle C”
13 and inserting “subtitle C of title I”; and

14 (3) in subsection (m), by striking “subtitle C”
15 each place that such appears in paragraphs (1) and
16 (2), and inserting “subtitle C of title I”.

17 **SEC. 5. TRAUMATIC BRAIN INJURY COORDINATION PLAN.**

18 (a) **DEVELOPMENT OF PLAN.**—Not later than 1 year
19 after the date of enactment of this Act, the Secretary of
20 Health and Human Services shall develop a plan for im-
21 proved coordination of Federal activities with respect to
22 traumatic brain injury. Such plan shall—

23 (1) review existing interagency coordination ef-
24 forts with respect to Federal activities related to

1 traumatic brain injury, including services for individ-
 2 uals with traumatic brain injury;

3 (2) identify areas for improved coordination be-
 4 tween relevant Federal agencies and programs, in-
 5 cluding agencies and programs with a focus on serv-
 6 ing individuals with disabilities; and

7 (3) incorporate, as appropriate, stakeholder
 8 feedback, including feedback from individuals with
 9 traumatic brain injury and their caregivers.

10 (b) ~~SUBMISSION TO CONGRESS.~~—The Secretary of
 11 Health and Human Services shall submit the plan devel-
 12 oped under subsection (a) to the Committee on Health,
 13 Education, Labor, and Pensions of the Senate and the
 14 Committee on Energy and Commerce of the House of
 15 Representatives.

16 **SEC. 6. STUDY OF BRAIN INJURY MANAGEMENT IN CHIL-**
 17 **DREN.**

18 The Director of the Centers for Disease Control and
 19 Prevention, in consultation with the Director of the Na-
 20 tional Institutes of Health, shall conduct a review of the
 21 scientific evidence related to brain injury management in
 22 children, such as the restriction or prohibition of children
 23 from attending school or participating in athletic activities
 24 following a head injury, and identify ongoing and potential
 25 further opportunities for research. Not later than 2 years

1 after the date of enactment of this Act, the Director of
 2 the Centers for Disease Control and Prevention shall sub-
 3 mit to the Committee on Health, Education, Labor, and
 4 Pensions of the Senate and the Committee on Energy and
 5 Commerce of the House of Representatives a report con-
 6 cerning the results of such review.

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Traumatic Brain Injury*
 9 *Reauthorization Act of 2014”.*

10 **SEC. 2. CDC PROGRAMS FOR PREVENTION AND SURVEIL-**
 11 **LANCE OF TRAUMATIC BRAIN INJURY.**

12 *(a) PREVENTION OF TRAUMATIC BRAIN INJURY.—Sec-*
 13 *tion 393B(b)(3) of the Public Health Service Act (42 U.S.C.*
 14 *280b–1c(b)(3)) is amended by striking “2010, commonly re-*
 15 *ferred to as Healthy People 2010” and inserting “2020,*
 16 *commonly referred to as Healthy People 2020”.*

17 *(b) AUTHORIZATION OF APPROPRIATIONS.—Section*
 18 *394A of the Public Health Service Act (42 U.S.C. 280b–*
 19 *3) is amended—*

20 *(1) by striking the section heading and all that*
 21 *follows through “For the purpose” and inserting the*
 22 *following:*

23 **“SEC. 394A. AUTHORIZATION OF APPROPRIATIONS.**

24 *“(a) IN GENERAL.—For the purpose”;*

25 *(2) by striking the second period; and*

1 (3) *by adding at the end the following:*

2 “(b) *TRAUMATIC BRAIN INJURY.—To carry out sec-*
 3 *tions 393B and 393C, there are authorized to be appro-*
 4 *priated \$6,564,000 for each of fiscal years 2015 through*
 5 *2019.”.*

6 **SEC. 3. STATE GRANTS FOR PROJECTS REGARDING TRAU-**
 7 **MATIC BRAIN INJURY.**

8 *Section 1252 of the Public Health Service Act (42*
 9 *U.S.C. 300d–52) is amended—*

10 (1) *in subsection (a), by striking “, acting*
 11 *through the Administrator of the Health Resources*
 12 *and Services Administration,”;*

13 (2) *in paragraphs (1)(A)(i) and (3)(E) of sub-*
 14 *section (f), by striking “brain injury” and inserting*
 15 *“traumatic brain injury”;*

16 (3) *in subsection (h), by striking “under this sec-*
 17 *tion, and section 1253 including” and inserting*
 18 *“under this section and section 1253, including”; and*

19 (4) *in subsection (j), by striking “such sums as*
 20 *may be necessary for each of the fiscal years 2001*
 21 *through 2005, and such sums as may be necessary for*
 22 *each of the fiscal years 2009 through 2012” and in-*
 23 *serting “\$5,500,000 for each of the fiscal years 2015*
 24 *through 2019”.*

1 **SEC. 4. STATE GRANTS FOR PROTECTION AND ADVOCACY**
 2 **SERVICES.**

3 *Section 1253 of the Public Health Service Act (42*
 4 *U.S.C. 300d–53) is amended—*

5 *(1) in subsection (a), by striking “, acting*
 6 *through the Administrator of the Health Resources*
 7 *and Services Administration (referred to in this sec-*
 8 *tion as the ‘Administrator’),”;*

9 *(2) in subsections (c), (d)(1), (e)(1), (e)(4), (g),*
 10 *(h), and (j)(1), by striking “Administrator” each*
 11 *place it appears and inserting “Secretary”;*

12 *(3) in subsection (h)—*

13 *(A) by striking the subsection heading and*
 14 *inserting “**REPORTING**”;*

15 *(B) by striking “Each protection and advo-*
 16 *cacy system” and inserting the following:*

17 *“(1) **REPORTS BY SYSTEMS.**—Each protection*
 18 *and advocacy system”; and*

19 *(C) by adding at the end the following:*

20 *“(2) **REPORT BY SECRETARY.**—Not later than 1*
 21 *year after the date of enactment of the Traumatic*
 22 *Brain Injury Reauthorization Act of 2014, the Sec-*
 23 *retary shall prepare and submit to the appropriate*
 24 *committees of Congress a report describing the serv-*
 25 *ices and activities carried out under this section dur-*

1 *ing the period for which the report is being pre-*
 2 *pared.”;*

3 *(4) in subsection (i), by striking “The Adminis-*
 4 *trator of the Health Resources” and all that follows*
 5 *through “regarding” and inserting “The Secretary*
 6 *shall facilitate agreements to coordinate the collection*
 7 *of data by agencies within the Department of Health*
 8 *and Human Services regarding”;*

9 *(5) in subsection (k), by striking “subtitle C of*
 10 *the Developmental Disabilities Assistance and Bill of*
 11 *Rights Act of 2000” and inserting “subtitle C of title*
 12 *I of the Developmental Disabilities Assistance and*
 13 *Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)”;*

14 *(6) in subsection (l), by striking “\$5,000,000 for*
 15 *fiscal year 2001, and such sums as may be necessary*
 16 *for each the fiscal years 2009 through 2012” and in-*
 17 *serting “\$3,100,000 for each of the fiscal years 2015*
 18 *through 2019”;* and

19 *(7) in subsection (m)—*

20 *(A) in paragraph (1), by striking “part C*
 21 *of the Developmental Disabilities Assistance Bill*
 22 *of Rights Act (42 U.S.C. 6042 et seq.)” and in-*
 23 *serting “subtitle C of title I of the Developmental*
 24 *Disabilities Assistance and Bill of Rights Act of*
 25 *2000 (42 U.S.C. 15041 et seq.)”;* and

(B) in paragraph (2), by striking “part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042 et seq.)” and inserting “subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)”.

SEC. 5. TRAUMATIC BRAIN INJURY COORDINATION PLAN.

(a) *DEVELOPMENT OF PLAN.*—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services shall develop a plan for improved coordination of Federal activities with respect to traumatic brain injury. Such plan shall—

(1) review existing interagency coordination efforts with respect to Federal activities related to traumatic brain injury, including services for individuals with traumatic brain injury;

(2) identify areas for improved coordination between relevant Federal agencies and programs, including agencies and programs with a focus on serving individuals with disabilities;

(3) identify each recommendation in the report required by section 393C(b) of the Public Health Service Act (42 U.S.C. 280b–1d(b)) that has been adopted and each such recommendation that has not been adopted, and describe any planned activities to

1 *address each such recommendation that has not been*
2 *adopted; and*

3 *(4) incorporate, as appropriate, stakeholder feed-*
4 *back, including feedback from individuals with trau-*
5 *matic brain injury and their caregivers.*

6 *(b) SUBMISSION TO CONGRESS.—The Secretary of*
7 *Health and Human Services shall submit the plan devel-*
8 *oped under subsection (a) to the Committee on Health, Edu-*
9 *cation, Labor, and Pensions of the Senate and the Com-*
10 *mittee on Energy and Commerce of the House of Represent-*
11 *atives.*

12 **SEC. 6. REVIEW OF BRAIN INJURY MANAGEMENT IN CHIL-**
13 **DREN.**

14 *The Director of the Centers for Disease Control and*
15 *Prevention, in consultation with the Director of the Na-*
16 *tional Institutes of Health, shall conduct a review of the*
17 *scientific evidence related to brain injury management in*
18 *children, such as the restriction or prohibition of children*
19 *from attending school or participating in athletic activities*
20 *following a head injury, and identify ongoing and potential*
21 *further opportunities for research. Not later than 2 years*
22 *after the date of enactment of this Act, the Director of the*
23 *Centers for Disease Control and Prevention shall submit to*
24 *the Committee on Health, Education, Labor, and Pensions*

- 1 *of the Senate and the Committee on Energy and Commerce*
- 2 *of the House of Representatives the results of such review.*

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