To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2019

Mr. HOYER (for himself and Mr. DAVID P. ROE of Tennessee) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “School-Based Allergies and Asthma Management Program Act”.

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SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES
THAT REQUIRE CERTAIN PUBLIC SCHOOLS
TO HAVE ALLERGIES AND ASTHMA MANAGEMENT PROGRAMS.

Section 399L(d) of the Public Health Service Act (42 U.S.C. 280g(d)) is amended—

(1) in paragraph (1), by amending subparagraph (F) to read as follows:

“(F) School personnel administration of rescue medications for allergies and asthma.—In determining the preference (if any) to be given to a State under this subsection, the Secretary shall give additional preference to a State that provides to the Secretary the certification described in subparagraph (G) and that requires that each public elementary school and secondary school in the State—

“(i) has in place a plan for having on the premises of the school during all operating hours of the school a school nurse or one or more other individuals who are trained personnel of the school; and

“(ii) has in place under the direction of a school nurse a comprehensive school-based allergies and asthma management program that includes—
“(I) a method to identify all students of such school with a diagnosis of allergies and asthma;

“(II) an individual student allergies and asthma action plan for each student of such school with a diagnosis of allergies and asthma;

“(III) allergies and asthma education for school staff who are directly responsible for students who have been identified as having allergies or asthma, such as education regarding basics, management, trigger management, and comprehensive emergency responses with respect to allergies and asthma;

“(IV) efforts to reduce the presence of environmental triggers of allergies and asthma; and

“(V) a system to support students with a diagnosis of allergies or asthma through coordination with family members of such students, primary care providers of such students, and others as necessary.”; and
(2) in paragraph (3)(E)—

(A) in the matter preceding clause (i), by inserting ‘‘, such as the school nurse’’ after ‘‘individual’’; and

(B) in clause (i), by inserting ‘‘school nurse or’’ before ‘‘principal’’. 