

116TH CONGRESS
2D SESSION

H. R. 7948

To amend the Public Health Service Act with respect to the collection and availability of health data with respect to Indian Tribes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 7, 2020

Mr. GIANFORTE (for himself, Mr. LUJÁN, Mrs. RODGERS of Washington, Mr. MULLIN, Mr. O'HALLERAN, and Mr. RUIZ) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act with respect to the collection and availability of health data with respect to Indian Tribes, 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. SHORT TITLE.**

4 This Act may be cited as the “Tribal Health Data
5 Improvement Act of 2020”.

1 **SEC. 2. COLLECTION AND AVAILABILITY OF HEALTH DATA**
2 **WITH RESPECT TO INDIAN TRIBES.**

3 (a) DATA COLLECTION.—Section 3101(a)(1) of the
4 Public Health Service Act (42 U.S.C. 300kk(a)(1)) is
5 amended—

6 (1) by striking “, by not later than 2 years
7 after the date of enactment of this title,”; and

8 (2) in subparagraph (B), by inserting “Tribal,”
9 after “State,”.

10 (b) DATA REPORTING AND DISSEMINATION.—Sec-
11 tion 3101(c) of the Public Health Service Act (42 U.S.C.
12 300kk(c)) is amended—

13 (1) by amending subparagraph (F) of para-
14 graph (1) to read as follows:

15 “(F) the Indian Health Service, Indian
16 Tribes, and epidemiology centers;”; and

17 (2) in paragraph (3), by inserting “Indian
18 Tribes, epidemiology centers,” after “Federal agen-
19 cies,”.

20 (c) PROTECTION AND SHARING OF DATA.—Section
21 3101(e) of the Public Health Service Act (42 U.S.C.
22 300kk(e)) is amended by adding at the end the following
23 new paragraph:

24 “(3) TRIBAL PUBLIC HEALTH AUTHORITY.—
25 Beginning not later than 30 days after the date of
26 the enactment of the Tribal Health Data Improve-

1 ment Act of 2020, the Secretary shall make avail-
2 able all data collected pursuant to this title with re-
3 spect to health care and public health surveillance
4 programs and activities, including such programs
5 and activities that are federally supported or con-
6 ducted, to—

7 “(A) the Indian Health Service;

8 “(B) Indian Tribes; and

9 “(C) epidemiology centers.”.

10 (d) TECHNICAL UPDATES.—Section 3101 of the
11 Public Health Service Act (42 U.S.C. 300kk) is amend-
12 ed—

13 (1) by striking subsections (g) and (h); and

14 (2) by redesignating subsection (i) as subsection
15 (h).

16 (e) DEFINITIONS.—After executing the amendments
17 made by subsection (d), section 3101 of the Public Health
18 Service Act (42 U.S.C. 300kk) is amended by inserting
19 after subsection (f) the following new subsection:

20 “(g) DEFINITIONS.—In this section:

21 “(1) The term ‘Indian Tribe’ has the meaning
22 given to the term ‘Indian tribe’ in section 4 of the
23 Indian Self-Determination and Education Assistance
24 Act.

1 “(2) The term ‘epidemiology center’ means an
2 epidemiology center established under section 214 of
3 the Indian Health Care Improvement Act.”.

4 (f) TECHNICAL CORRECTION.—Section 3101(b) of
5 the Public Health Service Act (42 U.S.C. 300kk(b)) is
6 amended by striking “DATA ANALYSIS.—” and all that
7 follows through “For each federally” and inserting “DATA
8 ANALYSIS.—For each federally”.

9 **SEC. 3. IMPROVING HEALTH STATISTICS REPORTING WITH**
10 **RESPECT TO INDIAN TRIBES.**

11 (a) TECHNICAL AID TO STATES AND LOCALITIES.—
12 Section 306(d) of the Public Health Service Act (42
13 U.S.C. 242k(d)) is amended by inserting “, Indian Tribes,
14 and epidemiology centers” after “jurisdictions”.

15 (b) COOPERATIVE HEALTH STATISTICS SYSTEM.—
16 Section 306(e)(3) of the Public Health Service Act (42
17 U.S.C. 242k(e)(3)) is amended by inserting “, Indian
18 Tribes, and epidemiology centers” after “health agencies”.

19 (c) FEDERAL-STATE COOPERATION.—Section 306(f)
20 of the Public Health Service Act (42 U.S.C. 242k(f)) is
21 amended—

22 (1) by inserting “the Indian Health Service,”
23 before “the Departments of Commerce”;

24 (2) by inserting a comma after “the Depart-
25 ments of Commerce and Labor”;

1 (3) by inserting “, Indian Tribes, and epidemi-
2 ology centers” after “State and local health depart-
3 ments and agencies”; and

4 (4) by striking “he shall” and inserting “the
5 Secretary shall”.

6 (d) REGISTRATION AREA RECORDS.—Section
7 306(h)(1) of the Public Health Service Act (42 U.S.C.
8 242k(h)(1)) is amended—

9 (1) by striking “in his discretion” and inserting
10 “in the discretion of the Secretary”; and

11 (2) by inserting “American Indians and Alaska
12 Natives,” before “Hispanics”.

13 (e) NATIONAL COMMITTEE ON VITAL AND HEALTH
14 STATISTICS.—Section 306(k) of the Public Health Service
15 Act (42 U.S.C. 242k(k)) is amended—

16 (1) in paragraph (3), by striking “, not later
17 than 60 days after the date of the enactment of the
18 Health Insurance Portability and Accountability Act
19 of 1996,” each place it appears; and

20 (2) in paragraph (7), by striking “Not later
21 than 1 year after the date of the enactment of the
22 Health Insurance Portability and Accountability Act
23 of 1996, and annually thereafter, the Committee
24 shall” and inserting “The Committee shall, on an
25 annual basis,”.

1 (f) GRANTS FOR ASSEMBLY AND ANALYSIS OF DATA
2 ON ETHNIC AND RACIAL POPULATIONS.—Section
3 306(m)(4) of the Public Health Service Act (42 U.S.C.
4 242k(m)(4)) is amended—

5 (1) in subparagraph (A)—

6 (A) by striking “Subject to subparagraph
7 (B), the” and inserting “The”; and

8 (B) by striking “and major Hispanic sub-
9 population groups and American Indians” and
10 inserting “, major Hispanic subgroups, and
11 American Indians and Alaska Natives”; and

12 (2) by amending subparagraph (B) to read as
13 follows:

14 “(B) In carrying out subparagraph (A), with respect
15 to American Indians and Alaska Natives, the Secretary
16 shall—

17 “(i) consult with Indian Tribes, Tribal organi-
18 zations, the Tribal Technical Advisory Group of the
19 Centers for Medicare & Medicaid Services main-
20 tained under section 5006(e) of the American Recov-
21 ery and Reinvestment Act of 2009, and the Tribal
22 Advisory Committee established by the Centers for
23 Disease Control and Prevention to develop guidelines
24 for State and local health agencies to improve the
25 quality and accuracy of data with respect to the

1 birth and death records of American Indians and
2 Alaska Natives;

3 “(ii) enter into cooperative agreements with In-
4 dian Tribes, Tribal organizations, Urban Indian or-
5 ganizations, and epidemiology centers to address
6 misclassification and undersampling of American In-
7 dians and Alaska Natives with respect to—

8 “(I) birth and death records; and

9 “(II) health care and public health surveil-
10 lance systems; and

11 “(iii) encourage States to enter into data shar-
12 ing agreements with Indian Tribes and epidemiology
13 centers to improve the quality and accuracy of
14 health data.”.

15 (g) DEFINITIONS.—Section 306 of the Public Health
16 Service Act (42 U.S.C. 242k) is amended—

17 (1) by redesignating subsection (n) as sub-
18 section (o); and

19 (2) by inserting after subsection (m) the fol-
20 lowing:

21 “(n) In this section:

22 “(1) The term ‘Indian Tribe’ has the meaning
23 given to the term ‘Indian tribe’ in section 4 of the
24 Indian Self-Determination and Education Assistance
25 Act.

1 “(2) The term ‘epidemiology center’ means an
2 epidemiology center established under section 214 of
3 the Indian Health Care Improvement Act.

4 “(3) The term ‘Urban Indian organization’ has
5 the meaning given to that term in section 4 of the
6 Indian Health Care Improvement Act.”.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
8 306(o) of the Public Health Service Act, as redesignated
9 by subsection (g), is amended to read as follows:

10 “(o)(1) To carry out this section, there is authorized
11 to be appropriated \$174,397,000 for each of the fiscal
12 years 2021 through 2025.

13 “(2) Of the amount authorized to be appropriated to
14 carry out this section for a fiscal year, the Secretary shall
15 not use more than 10 percent for the combined costs of—

16 “(A) administration of this section; and

17 “(B) carrying out subsection (m)(2).”.

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