

116TH CONGRESS
2D SESSION

S. 4740

To support public health infrastructure.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2020

Mrs. MURRAY (for herself, Mr. CASEY, Mr. MENENDEZ, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. BROWN, Mr. MERKLEY, Mr. BENNET, Ms. WARREN, Mr. MARKEY, Ms. HIRONO, Ms. BALDWIN, Ms. ROSEN, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. REED, Ms. SMITH, Mr. BLUMENTHAL, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To support public health infrastructure.

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 “Public Health Infra-
5 structure Saves Lives Act”.

6 **SEC. 2. CORE PUBLIC HEALTH INFRASTRUCTURE FOR**
7 **STATE, TERRITORIAL, LOCAL, AND TRIBAL**
8 **HEALTH DEPARTMENTS.**

9 (a) PROGRAM.—The Secretary of Health and Human
10 Services (referred to in this Act as the “Secretary”), act-

1 ing through the Director of the Centers for Disease Con-
2 trol and Prevention, shall establish a core public health
3 infrastructure program to strengthen the public health
4 system of the United States, including the Nation's ability
5 to respond to the COVID-19 pandemic, consisting of
6 awarding grants under subsection (b).

7 (b) GRANTS.—

8 (1) AWARD.—For the purpose of addressing
9 core public health infrastructure needs, the Sec-
10 retary—

11 (A) shall award a grant to each State or
12 territorial health department, and to local
13 health departments that serve 500,000 people
14 or more; and

15 (B) shall award grants on a competitive
16 basis to State, territorial, local, or tribal health
17 departments.

18 (2) ALLOCATION.—Of the total amount of
19 funds awarded as grants under this subsection for a
20 fiscal year—

21 (A) not less than 50 percent shall be for
22 grants to health departments under paragraph
23 (1)(A); and

1 (B) not less than 30 percent shall be for
2 grants to State, territorial, local, or tribal
3 health departments under paragraph (1)(B).

4 (c) USE OF FUNDS.—The Secretary may award a
5 grant to an entity under subsection (b)(1) only if the enti-
6 ty agrees to use the full amount of the grant to address
7 core public health infrastructure needs, including those
8 identified in the accreditation process under subsection
9 (h).

10 (d) FORMULA GRANTS TO HEALTH DEPART-
11 MENTS.—In making grants under subsection (b)(1)(A),
12 the Secretary shall award funds to each health department
13 in accordance with—

14 (1) a formula—

15 (A) based on population size, burden of
16 preventable disease and disability, and poverty
17 rate, with special consideration given to terri-
18 tories; and

19 (B) which, in the event of an award made
20 during the public health emergency declared
21 under section 319 of the Public Health Service
22 Act (42 U.S.C. 247d) in response to COVID-
23 19, shall consider the COVID-19 burden of
24 each jurisdiction; and

1 (2) application requirements established by the
2 Secretary, including a requirement that the health
3 department submit a plan by the end of year 1 of
4 the grant that demonstrates to the satisfaction of
5 the Secretary that the health department will—

6 (A) address its highest priority core public
7 health infrastructure needs;

8 (B) in the case of such a plan submitted
9 during the public health emergency described in
10 paragraph (1)(B), identify the core public
11 health infrastructure needs that are the highest
12 priority for strengthening the response to
13 COVID–19 and similar public health threats
14 and other public health emergencies; and

15 (C) for State health departments, allocate
16 at least 25 percent of the grant funds to local
17 health departments within the State to support
18 the local jurisdiction’s contribution to core pub-
19 lic health infrastructure.

20 (e) COMPETITIVE GRANTS TO STATE, TERRITORIAL,
21 LOCAL, AND TRIBAL HEALTH DEPARTMENTS.—In mak-
22 ing grants under subsection (b)(1)(B), the Secretary shall
23 give priority to applicants demonstrating core public
24 health infrastructure needs for all public health agencies
25 in the applicant’s jurisdiction to be certified by the accred-

1 itation process under subsection (h), or for an entity for
2 which a waiver has been received under subparagraph (A)
3 or (B) of subsection (h)(2), that has otherwise dem-
4 onstrated the applicant has core public health infrastruc-
5 ture needs for all public health agencies.

6 (f) PERMITTED USE.—The Secretary may make
7 available a subset of the funds available for grants under
8 subsection (b)(1) for purposes of awarding planning
9 grants to health departments eligible to receive a grant
10 under subsection (b)(1)(B). Recipients of such a planning
11 grant may use such award to assess core public health
12 infrastructure needs.

13 (g) MAINTENANCE OF EFFORT.—The Secretary may
14 award a grant to an entity under subsection (b) only if
15 the entity demonstrates to the satisfaction of the Sec-
16 retary that—

17 (1) funds received through the grant will be ex-
18 pended only to supplement, and not supplant, non-
19 Federal and Federal funds otherwise available to the
20 entity for the purpose of addressing core public
21 health infrastructure needs; and

22 (2) with respect to activities for which the grant
23 is awarded, the entity will maintain expenditures of
24 non-Federal amounts for such activities at a level
25 not less than the level of such expenditures main-

1 tained by the entity for the fiscal year preceding the
2 fiscal year for which the entity receives the grant.

3 (h) SUPPORT OF A NATIONAL PUBLIC HEALTH AC-
4 CREDITATION PROGRAM.—

5 (1) IN GENERAL.—The Secretary, acting
6 through the Director of the Centers for Disease
7 Control and Prevention, shall—

8 (A) support continued development, and
9 periodic review and updating of standards for
10 accreditation of State, territorial, local, or tribal
11 health departments for the purpose of advanc-
12 ing the quality and performance of such depart-
13 ments with an emphasis on core public health
14 infrastructure;

15 (B) implement a program to accredit such
16 health departments in accordance with such
17 standards; and

18 (C) beginning in fiscal year 2024, ensure
19 that any entity receiving a grant under sub-
20 section (b) is accredited as described in sub-
21 paragraph (A) or meets another standard of ac-
22 countability specific to public health infrastruc-
23 ture, subject to paragraph (2).

1 (2) WAIVERS.—The Secretary may waive the
2 requirement under paragraph (1)(C) with respect
3 to—

4 (A) any individual entity until fiscal year
5 2026; or

6 (B) after fiscal year 2026, any individual
7 entity that demonstrates that it would be a sig-
8 nificant hardship to comply with such require-
9 ment.

10 (3) COOPERATIVE AGREEMENT.—The Secretary
11 may enter into a cooperative agreement with a pri-
12 vate nonprofit entity to carry out this subsection.

13 (i) REPORT.—The Secretary shall submit to the Com-
14 mittee on Health, Education, Labor, and Pensions of the
15 Senate and the Committee on Energy and Commerce of
16 the House of Representatives an annual report on
17 progress being made to accredit entities under subsection
18 (h), including—

19 (1) a strategy, including goals and objectives,
20 for accrediting entities under subsection (h) and
21 achieving the purpose described in subsection (h)(1);
22 and

23 (2) identification of gaps in research related to
24 core public health infrastructure and recommenda-
25 tions of priority areas for such research.

1 **SEC. 3. CORE PUBLIC HEALTH INFRASTRUCTURE AND AC-**
2 **TIVITIES FOR CDC.**

3 (a) IN GENERAL.—The Secretary, acting through the
4 Director of the Centers for Disease Control and Preven-
5 tion, shall expand and improve the core public health in-
6 frastructure and activities of the Centers for Disease Con-
7 trol and Prevention to address unmet and emerging public
8 health needs and provide technical assistance to grantees
9 funded under this provision, including the administration
10 of the grants under section 2(b)(1).

11 (b) REPORT.—The Secretary shall submit to Con-
12 gress an annual report on the activities funded through
13 this section.

14 **SEC. 4. CORE PUBLIC HEALTH INFRASTRUCTURE DEFINED.**

15 For purposes of this Act, the term “core public health
16 infrastructure” means all of the following elements, and
17 the workforce needed to establish and maintain such ele-
18 ments:

19 (1) ASSESSMENT (INCLUDING SURVEILLANCE,
20 EPIDEMIOLOGY, AND LABORATORY CAPACITY).—The
21 ability to track the health of a community through
22 data, case finding, and laboratory tests with par-
23 ticular attention to those most at risk.

24 (2) ALL HAZARDS PREPAREDNESS AND RE-
25 SPONSE.—The capacity to respond to emergencies of
26 all kinds.

1 (3) POLICY DEVELOPMENT AND SUPPORT.—

2 The ability to translate public health science into ap-
3 propriate policy and regulation.

4 (4) COMMUNICATIONS.—The ability to reach
5 the public effectively with timely, science-based in-
6 formation to mitigate the impact of public health
7 threats, with particular attention to hard-to-reach
8 populations.

9 (5) COMMUNITY PARTNERSHIP DEVELOP-
10 MENT.—The capacity to harness and align commu-
11 nity resources and organizations to advance the
12 health of all members of the community.

13 (6) ORGANIZATIONAL COMPETENCIES (LEADER-
14 SHIP AND GOVERNANCE, HEALTH EQUITY).—The
15 ability to lead internal and external stakeholders to
16 consensus and action.

17 (7) ACCOUNTABILITY AND PERFORMANCE MAN-
18 AGEMENT (INCLUDING QUALITY IMPROVEMENT, IN-
19 FORMATION TECHNOLOGY, HUMAN RESOURCES, FI-
20 NANCIAL MANAGEMENT, AND LAW).—The ability to
21 apply business practices that ensure efficient use of
22 resources, achieve desired outcomes, and foster a
23 continuous learning environment.

24 (8) EQUITY.—Utilizing all of the preceding ele-
25 ments, the capacity to address and correct health

1 disparities (including disparities related to race, eth-
2 nicity, national origin, socioeconomic status, primary
3 language, sex (including sexual orientation and gen-
4 der identity), disability status, and other factors),
5 advance health equity in all communities, and imple-
6 ment culturally and linguistically appropriate pro-
7 grams and interventions.

8 **SEC. 5. FUNDING.**

9 (a) IN GENERAL.—To carry out this Act, there are
10 hereby appropriated, out of amounts in the Treasury not
11 otherwise appropriated, the following to be made available
12 until expended:

13 (1) For fiscal year 2021, \$750,000,000.

14 (2) For fiscal year 2022, \$1,000,000,000.

15 (3) For fiscal year 2023, \$2,000,000,000.

16 (4) For fiscal year 2024, \$3,000,000,000.

17 (5) For fiscal year 2025 and each subsequent
18 fiscal year, \$4,500,000,000.

19 (b) CORE PUBLIC HEALTH INFRASTRUCTURE AND
20 ACTIVITIES.—Of the amounts made available under this
21 section for a fiscal year, not more than \$350,000,000 shall
22 be used to carry out section 3.

23 (c) SUPPLEMENT.—Amounts made available under
24 this section shall be used to supplement, and not supplant,

1 amounts otherwise made available for the purposes de-
2 scribed in this Act.

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