

116TH CONGRESS
2D SESSION

S. 4767

To establish programs to support research and development with respect to personal protective equipment for health care workers.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2020

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

A BILL

To establish programs to support research and development with respect to personal protective equipment for health care workers.

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 “PPE Innovation Act
5 of 2020”.

1 **SEC. 2. IMPROVING THE SUPPLY OF PERSONAL PROTEC-**
2 **TIVE EQUIPMENT.**

3 Part B of title III of the Public Health Service Act
4 (42 U.S.C. 243 et seq.) is amended by inserting after sec-
5 tion 319M the following:

6 **“SEC. 319N. PROGRAMS TO IMPROVE THE SUPPLY OF PER-**
7 **SONAL PROTECTIVE EQUIPMENT.**

8 “(a) NATIONAL PERSONAL PROTECTIVE TECH-
9 NOLOGY LABORATORY.—The Secretary, acting through
10 the Director of the Centers for Disease Control and Pre-
11 vention, shall continue to carry out the activities of the
12 National Personal Protective Technology Laboratory with-
13 in the National Institute for Occupational Safety and
14 Health, including by—

15 “(1) conducting research and development re-
16 lated to personal protective equipment, which shall
17 include developing new methods to test effectiveness
18 of such equipment;

19 “(2) developing and implementing science-based
20 national guidance for respiratory equipment and
21 other personal protective equipment;

22 “(3) establishing guidance and tools to help em-
23 ployers and workers use personal protective equip-
24 ment as effectively and efficiently as possible; and

25 “(4) developing and evaluating innovative de-
26 signs and test methods to improve acceptability,

1 comfort, fit, and usability of personal protective
2 equipment.

3 “(b) RESEARCH AND DEVELOPMENT PROGRAM FOR
4 PERSONAL PROTECTIVE EQUIPMENT FOR HEALTH CARE
5 WORKERS.—

6 “(1) IN GENERAL.—The Secretary, acting
7 through the Director of the Centers for Disease
8 Control and Prevention, shall establish, within the
9 National Personal Protective Technology Laboratory
10 described in subsection (a), a program to ensure in-
11 novation with respect to personal protective equip-
12 ment for health care workers, by conducting and ap-
13 plying scientific research on essential safety, design
14 considerations, and usage qualities and standards of
15 personal protective equipment used in health care
16 settings.

17 “(2) REQUIREMENTS.—The program estab-
18 lished under paragraph (1) shall—

19 “(A) integrate consultation with health care
20 personnel who use personal protective equip-
21 ment in their work to inform factors such as
22 comfort over short- and long-durations, fit, du-
23 rability, and feasibility in real-world health care
24 settings;

1 “(B) conduct pilot testing for periods of 6
2 months to evaluate workforce experience with,
3 and preliminary efficacy of, newly developed
4 equipment; and

5 “(C) coordinate with manufacturers to—

6 “(i) ensure capability for large scale-
7 production of personal protective equip-
8 ment, even in the potential circumstance of
9 low-profitability, and

10 “(ii) guarantee the ability to increase
11 supply of such equipment rapidly in re-
12 sponse to sudden medical need, through
13 manufacturing at facilities within the
14 United States and at reliable manufac-
15 turing facilities abroad.

16 “(3) CONSULTATION.—In carrying out the pro-
17 gram under this subsection, the Director of the Cen-
18 ters for Disease Control and Prevention shall consult
19 with—

20 “(A) the Assistant Secretary of Labor for
21 Occupational Safety and Health to align and in-
22 tegrate the objectives of the 2 agencies with re-
23 spect to innovative development of personal pro-
24 tective equipment for health care workers; and

1 “(B) the Commissioner of Food and Drugs
2 to ensure appropriate communication related to
3 relevant certification of personal protective
4 equipment.

5 “(4) AUTHORIZATION OF APPROPRIATIONS.—
6 To carry out this subsection, there are authorized to
7 be appropriated \$180,000,000 for each of fiscal
8 years 2021 through 2025.

9 “(c) REPORTING.—

10 “(1) IN GENERAL.—The Secretary shall seek to
11 enter into a contract with the National Academies of
12 Science, Engineering and Medicine (referred to in
13 this subsection as the ‘Academies’) under which, not
14 later than 3 years after the date of enactment of the
15 PPE Innovation Act of 2020, and thereafter, at
16 such regular intervals as the Secretary shall deter-
17 mine, the Standing Committee on Personal Protec-
18 tive Equipment for Workplace Safety and Health of
19 such Academies shall—

20 “(A) present a workshop to update the
21 public on progress of the program under sub-
22 section (b) and the progress and remaining
23 knowledge gaps with respect to implementation
24 of such program and innovative product deploy-

1 ment of personal protective equipment in health
2 care settings in the United States; and

3 “(B) submit a written summary of such
4 workshop to the Committee on Health, Edu-
5 cation, Labor, and Pensions of the Senate and
6 the Committee on Energy and Commerce of the
7 House of Representatives.

8 “(2) AUTHORIZATION OF APPROPRIATIONS.—
9 There are authorized to be appropriated such sums
10 as may be required to carry out this subsection.

11 “(d) DEFINITION.—In this section, the term ‘per-
12 sonal protective equipment’ means equipment worn to
13 minimize exposure to hazards that cause serious workplace
14 injuries and illnesses and includes respiratory protection,
15 clothing, eye protection, and such other equipment to pro-
16 tect the wearer as the Secretary may determine.”.

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