

116TH CONGRESS
1ST SESSION

S. 523

To direct the Secretary of Health and Human Services to develop a national strategic action plan and program to assist health professionals and systems in preparing for and responding to the public health effects of climate change, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2019

Mr. MARKEY (for himself, Mr. SCHATZ, Mr. WHITEHOUSE, Ms. WARREN, Mr. MERKLEY, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To direct the Secretary of Health and Human Services to develop a national strategic action plan and program to assist health professionals and systems in preparing for and responding to the public health effects of climate change, 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 “Climate Change Health
5 Protection and Promotion Act of 2019”.

1 **SEC. 2. SENSE OF CONGRESS ON PUBLIC HEALTH AND CLI-**
2 **MATE CHANGE.**

3 (a) FINDINGS.—The U.S. Global Change Research
4 Program Climate and Health Assessment states that—

5 (1) the impacts of human-induced climate
6 change are increasing nationwide;

7 (2) rising greenhouse gas concentrations result
8 in increases in temperature, changes in precipitation,
9 increases in the frequency and intensity of some ex-
10 treme weather events, and rising sea levels;

11 (3) these climate change impacts endanger our
12 health by affecting our food and water sources, the
13 air we breathe, the weather we experience, and our
14 interactions with the built and natural environments;
15 and

16 (4) as the climate continues to change, the risks
17 to human health continue to grow.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) climate change is real;

21 (2) human activity significantly contributes to
22 climate change;

23 (3) climate change negatively impacts health;

24 (4) climate change disproportionately impacts
25 communities of color and low-income communities;
26 and

1 (5) the Federal Government, in cooperation
2 with international, State, tribal, and local govern-
3 ments, concerned public, private and Native Amer-
4 ican organizations, and citizens, should use all prac-
5 ticable means and measures—

6 (A) to assist the efforts of public health
7 and health care professionals, first responders,
8 health care systems, States, the District of Co-
9 lumbia, territories, municipalities, and Native
10 American and local communities to incorporate
11 measures to prepare public health and health
12 care systems to respond to the impacts of cli-
13 mate change;

14 (B) to ensure—

15 (i) that the Nation’s public health and
16 health care professionals have sufficient in-
17 formation to prepare for and respond to
18 the adverse health impacts of climate
19 change;

20 (ii) the application of scientific re-
21 search in advancing understanding of—

22 (I) the health impacts of climate
23 change; and

1 (II) strategies to prepare for and
2 respond to the health impacts of cli-
3 mate change;

4 (iii) the identification of communities
5 and populations vulnerable to the health
6 impacts of climate change, including in-
7 fants, children, pregnant women, the elder-
8 ly, individuals with disabilities or pre-exist-
9 ing illnesses, low-income populations, and
10 unhoused individuals, and the development
11 of strategic response plans to be carried
12 out by public health and health care pro-
13 fessionals for those communities;

14 (iv) the improvement of health status
15 and health equity through efforts to pre-
16 pare for and respond to climate change;
17 and

18 (v) the inclusion of health impacts in
19 the development of climate change re-
20 sponses;

21 (C) to encourage further research, inter-
22 disciplinary partnership, and collaboration
23 among stakeholders in order to—

24 (i) understand and monitor the health
25 impacts of climate change;

1 (ii) improve public health knowledge
2 and response strategies to climate change;

3 (iii) identify actions and policies that
4 are beneficial to health and that mitigate
5 climate health impacts; and

6 (iv) develop strategies to address
7 water-, food-, and vector-borne infectious
8 diseases and other public health emer-
9 gencies;

10 (D) to enhance preparedness activities, and
11 health care and public health infrastructure, re-
12 lating to climate change and health;

13 (E) to encourage each and every commu-
14 nity to learn about the impacts of climate
15 change on health; and

16 (F) to assist the efforts of developing na-
17 tions to incorporate measures to prepare public
18 health and health care systems to respond to
19 the impacts of climate change.

20 **SEC. 3. RELATIONSHIP TO OTHER LAWS.**

21 Nothing in this Act limits the authority provided to
22 or responsibility conferred on any Federal department or
23 agency by any provision of any law (including regulations)
24 or authorizes any violation of any provision of any law (in-

1 cluding regulations), including any health, energy, envi-
2 ronmental, transportation, or any other law or regulation.

3 **SEC. 4. NATIONAL STRATEGIC ACTION PLAN AND PRO-**
4 **GRAM.**

5 (a) REQUIREMENT.—

6 (1) IN GENERAL.—The Secretary of Health and
7 Human Services (referred to in this Act as the “Sec-
8 retary”), on the basis of the best available science,
9 and in consultation pursuant to paragraph (2), shall
10 publish a strategic action plan and establish a pro-
11 gram to ensure the public health and health care
12 systems are prepared for and can respond to the im-
13 pacts of climate change on health in the United
14 States and other nations.

15 (2) CONSULTATION.—In developing or making
16 any revision to the national strategic action plan and
17 program, the Secretary shall—

18 (A) consult with the Director of the Cen-
19 ters for Disease Control and Prevention, the
20 Administrator of the Environmental Protection
21 Agency, the Director of the National Institutes
22 of Health, the Undersecretary of Commerce for
23 Oceans & Atmosphere, the Administrator of the
24 National Aeronautics and Space Administra-
25 tion, the Director of the Indian Health Service,

1 the Secretary of Defense, the Secretary of
2 State, the Secretary of Veterans Affairs, other
3 appropriate Federal agencies, Indian tribes,
4 State and local governments, public health or-
5 ganizations, scientists, representatives of at-risk
6 populations, and other interested stakeholders;
7 and

8 (B) provide opportunity for public input
9 and consultation with Indian tribes and Native
10 American organizations.

11 (b) ACTIVITIES.—

12 (1) NATIONAL STRATEGIC ACTION PLAN.—

13 (A) IN GENERAL.—Not later than 2 years
14 after the date of enactment of this Act, the Sec-
15 retary, acting through the Director of the Cen-
16 ters for Disease Control and Prevention, and in
17 collaboration with other Federal agencies as ap-
18 propriate, shall, on the basis of the best avail-
19 able science, and in consultation with the enti-
20 ties described in subsection (a)(2)(A), publish a
21 national strategic action plan under subpara-
22 graph (B) to guide the climate and health pro-
23 gram and assist public health and health care
24 professionals in preparing for and responding to
25 the impacts of climate change on public health

1 in the United States and other nations, particu-
2 larly developing nations.

3 (B) NATIONAL STRATEGIC ACTION PLAN
4 COMPONENTS.—The national strategic plan
5 shall include an assessment of the health sys-
6 tem capacity of the United States to address
7 climate change including—

8 (i) identifying and prioritizing commu-
9 nities and populations vulnerable to the
10 health impacts of climate change;

11 (ii) providing outreach and commu-
12 nication aimed at public health and health
13 care professionals and the public to pro-
14 mote preparedness and response strategies;

15 (iii) providing for programs across
16 Federal agencies to advance research re-
17 lated to the impacts of climate change on
18 health;

19 (iv) identifying and assessing existing
20 preparedness and response strategies for
21 the health impacts of climate change;

22 (v) prioritizing critical public health
23 and health care infrastructure projects;

24 (vi) providing modeling and fore-
25 casting tools of climate change health im-

- 1 pacts, including local impacts, where fea-
2 sible;
- 3 (vii) establishing academic and re-
4 gional centers of excellence;
- 5 (viii) providing technical assistance
6 and support for preparedness and response
7 plans for the health threats of climate
8 change in States, municipalities, terri-
9 tories, Indian tribes, and developing na-
10 tions; and
- 11 (ix) developing, improving, inte-
12 grating, and maintaining domestic and
13 international disease surveillance systems
14 and monitoring capacity to respond to
15 health-related impacts of climate change,
16 including on topics addressing—
- 17 (I) water-, food-, and vector-
18 borne infectious diseases and climate
19 change;
- 20 (II) pulmonary effects, including
21 responses to aeroallergens and toxic
22 exposures;
- 23 (III) cardiovascular effects, in-
24 cluding impacts of temperature ex-
25 tremes;

- 1 (IV) air pollution health effects,
2 including heightened sensitivity to air
3 pollution;
- 4 (V) harmful algal blooms;
- 5 (VI) mental and behavioral
6 health impacts of climate change;
- 7 (VII) the health of migrants, ref-
8 ugees, displaced persons, and vulner-
9 able communities;
- 10 (VIII) the implications for com-
11 munities and populations vulnerable
12 to the health effects of climate
13 change, as well as strategies for re-
14 sponding to climate change within
15 these communities;
- 16 (IX) tribal, local, and commu-
17 nity-based health interventions for cli-
18 mate-related health impacts;
- 19 (X) extreme heat and weather
20 events, including drought;
- 21 (XI) decreased nutritional value
22 of crops; and
- 23 (XII) disruptions in access to
24 routine and acute medical care.

1 (2) CLIMATE AND HEALTH PROGRAM.—The
2 Secretary, acting through the Director of the Cen-
3 ters for Disease Control and Prevention, and in col-
4 laboration with other Federal agencies, as appro-
5 priate, shall ensure that the climate and health pro-
6 gram established under this section addresses pri-
7 ority health actions including the following:

8 (A) Serve as a credible source of informa-
9 tion on the physical, mental, and behavioral
10 health consequences of climate change for the
11 United States population and globally.

12 (B) Track data on environmental condi-
13 tions, disease risks, and disease occurrence re-
14 lated to climate change.

15 (C) Expand capacity for modeling and
16 forecasting health effects that may be climate-
17 related.

18 (D) Enhance the science base to better un-
19 derstand the relationship between climate
20 change and health outcomes.

21 (E) Identify locations and population
22 groups at greatest risk for specific health
23 threats and effects, such as increased heat
24 stress, degraded air and water quality, food or
25 water-related infections, vector-borne illnesses,

1 pulmonary and cardiovascular effects, mental
2 and behavioral health effects and food, water,
3 and nutrient insecurity.

4 (F) Communicate the health-related as-
5 pects of climate change, including risks and as-
6 sociated costs and ways to reduce them, to the
7 public, decisionmakers, public health profes-
8 sionals, and health care providers.

9 (G) Develop partnerships with other gov-
10 ernment agencies, the private sector, non-
11 governmental organizations, universities, and
12 international organizations to more effectively
13 address domestic and global health aspects of
14 climate change.

15 (H) Provide leadership to State and local
16 governments, community leaders, health care
17 professionals, nongovernmental organizations,
18 environmental justice networks, faith-based
19 communities, the private sector and the public,
20 domestically and internationally, regarding
21 health protection from climate change effects.

22 (I) Develop and implement preparedness
23 and response plans for health threats such as
24 heat waves, severe weather events, and infec-
25 tious diseases.

1 (J) Provide technical advice and support to
2 State and local health departments, the private
3 sector, and others in developing and imple-
4 menting national and global preparedness meas-
5 ures related to the health effects of climate
6 change.

7 (K) Promote workforce development by
8 helping to ensure the training of a new genera-
9 tion of competent, experienced public health
10 and health care professionals to respond to the
11 health threats posed by climate change.

12 (c) PERIODIC ASSESSMENT AND REVISION.—Not
13 later than 4 years after the date of enactment of this Act,
14 and every 4 years thereafter, the Secretary shall periodi-
15 cally assess, and revise as necessary, the national strategic
16 action plan under subsection (b)(1) and the climate and
17 health program under subsection (b)(2), to reflect new in-
18 formation collected pursuant to the implementation of the
19 national strategic action plan and program and otherwise,
20 including information on—

21 (1) the status of critical environmental health
22 indicators and related human health impacts;

23 (2) the impacts of climate change on public
24 health; and

1 (3) advances in the development of strategies
2 for preparing for and responding to the impacts of
3 climate change on public health.

4 (d) IMPLEMENTATION.—

5 (1) IMPLEMENTATION THROUGH HHS.—The
6 Secretary shall exercise the Secretary’s authority
7 under this Act and other Federal statutes to achieve
8 the goals and measures of the national strategic ac-
9 tion plan and climate and health program.

10 (2) OTHER PUBLIC HEALTH PROGRAMS AND
11 INITIATIVES.—The Secretary and Federal officials of
12 other relevant Federal agencies shall administer
13 public health programs and initiatives authorized by
14 laws other than this Act, subject to the requirements
15 of such laws, in a manner designed to achieve the
16 goals of the national strategic action plan and cli-
17 mate and health program.

18 **SEC. 5. ADVISORY BOARD.**

19 (a) ESTABLISHMENT.—The Secretary shall, pursuant
20 to the Federal Advisory Committee Act (5 U.S.C. App.),
21 establish a permanent science advisory board to be com-
22 prised of not less than 10 and not more than 20 members.

23 (b) APPOINTMENT OF MEMBERS.—The Secretary
24 shall appoint the members of the science advisory board
25 from among individuals who—

1 (1) are recommended by the President of the
2 National Academy of Sciences and the President of
3 the National Academy of Medicine; and

4 (2) have expertise in essential public health and
5 health care services, including those related to vul-
6 nerable populations, climate change, and other rel-
7 evant disciplines.

8 The Secretary shall ensure that the science advisory board
9 includes members with practical or lived experience with
10 relevant issues.

11 (c) FUNCTIONS.—The science advisory board shall—

12 (1) provide scientific and technical advice and
13 recommendations to the Secretary on the domestic
14 and international impacts of climate change on pub-
15 lic health, populations and regions particularly vul-
16 nerable to the effects of climate change, and strate-
17 gies and mechanisms to prepare for and respond to
18 the impacts of climate change on public health; and

19 (2) advise the Secretary regarding the best
20 science available for purposes of issuing the national
21 strategic action plan and conducting the climate and
22 health program.

1 **SEC. 6. CLIMATE CHANGE HEALTH PROTECTION AND PRO-**
2 **MOTION REPORTS.**

3 (a) IN GENERAL.—The Secretary shall offer to enter
4 into an agreement with the National Academies of
5 Sciences, Engineering, and Medicine, under which such
6 National Academies will prepare periodic reports to aid
7 public health and health care professionals in preparing
8 for and responding to the adverse health effects of climate
9 change that—

10 (1) review scientific developments on health im-
11 pacts of climate change; and

12 (2) recommend changes to the national stra-
13 tegic action plan and climate and health program.

14 (b) SUBMISSION.—The agreement under subsection
15 (a) shall require a report to be submitted to Congress and
16 the Secretary and made publicly available not later than
17 2 years after the date of enactment of this Act, and every
18 4 years thereafter.

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