

Health shall establish and maintain a national database on existing needleless systems and sharps with engineered sharps injury protections.

(b) **EVALUATION CRITERIA.**—The Director shall develop a set of evaluation criteria for use by employers, employees, and other persons when they are evaluating and selecting needleless systems and sharps with engineered sharps injury protections.

(c) **TRAINING.**—The Director shall develop a model training curriculum to train employers, employees, and other persons on the process of evaluating needleless systems and sharps with engineered sharps injury protections and shall (to the extent feasible) provide technical assistance to persons who request such assistance.

(d) **MONITORING.**—The Director shall establish a national system to collect comprehensive data on needlestick injuries to health care workers, including data on mechanisms to analyze and evaluate prevention interventions in relation to needlestick injury occurrence. In carrying out its duties under this subsection, the National Institute for Occupational Safety and Health shall have access to information recorded by employers on the sharps injury log as required by section 02(b)(2).

SEC. 04. DEFINITIONS.

For purposes of this title:

(1) **BLOODBORNE PATHOGENS.**—The term “bloodborne pathogens” means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include hepatitis B virus, hepatitis C virus, and human immunodeficiency virus.

(2) **CONTAMINATED.**—The term “contaminated” means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

(3) **DIRECT CARE HEALTH CARE WORKER.**—The term “direct care health care worker” means an employee responsible for direct patient care with potential occupational exposure to sharps related injuries.

(4) **EMPLOYER.**—The term “employer” means each employer having an employee with occupational exposure to human blood or other material potentially containing bloodborne pathogens.

(5) **ENGINEERED SHARPS INJURY PROTECTIONS.**—The term “engineered sharps injury protections” means—

(A) a physical attribute built into a needle device used for withdrawing body fluids, accessing a vein or artery, or administering medications or other fluids, that effectively reduces the risk of an exposure incident by a mechanism such as barrier creation, blunting, encapsulation, withdrawal, retraction, destruction, or other effective mechanisms; or

(B) a physical attribute built into any other type of needle device, or into a non-needle sharp, which effectively reduces the risk of an exposure incident.

(6) **NEEDLELESS SYSTEM.**—The term “needleless system” means a device that does not use needles for—

(A) the withdrawal of body fluids after initial venous or arterial access is established;

(B) the administration of medication or fluids; and

(C) any other procedure involving the potential for an exposure incident.

(7) **SHARP.**—The term “sharp” means any object used or encountered in a health care setting that can be reasonably anticipated to penetrate the skin or any other part of the body, and to result in an exposure incident, including, but not limited to, needle devices, scalpels, lancets, broken glass, broken capillary tubes, exposed ends of dental wires and dental knives, drills, and burs.

(8) **SHARPS INJURY.**—The term “sharps injury” means any injury caused by a sharp, including cuts, abrasions, or needlesticks.

(9) **SHARPS INJURY LOG.**—The term “sharps injury log” means a written or electronic record satisfying the requirements of section 02(b)(2).

SEC. 05. APPLICATION TO MEDICARE HOSPITALS.

The Secretary of Health and Human Services shall provide by regulation that, as a condition of participation under the Medicare program under title XVIII of the Social Security Act of a hospital that is not otherwise subject to the bloodborne pathogens standard amended under section 02(a) because it is exempt from regulation by the Occupational Safety and Health Administration, the hospital shall comply with the bloodborne pathogen standard amended under section 02(a) with respect to any employees of the hospital, effective at the same time as such amended standard would have applied to the hospital if it had not been so exempt.

SEC. 06. EFFECTIVE DATE.

This title shall become effective upon the date of its enactment, except that the Secretary of Labor shall take the action required by section 02 within 1 year of such date.

SMITH AMENDMENT NO. 1808

Mr. SMITH of New Hampshire proposed an amendment to the bill, S. 1650, supra; as follows:

At the appropriate place, add the following:

“SEC. . It is the sense of the Senate that the Conferees on H.R. 2466, the Department of Interior and Related Agencies Appropriations Act, shall include language prohibiting funds from being used for the Brooklyn Museum of Art unless the Museum immediately cancels the exhibit ‘Sensation,’ which contains obscene and pornographic pictures, a picture of the Virgin Mary desecrated with animal feces, and other examples of religious bigotry.”

**BOXER (AND OTHERS)
AMENDMENT NO. 1809**

Mrs. BOXER (for herself, Mr. DURBIN, Mr. KENNEDY, Mr. KOHL, Mr. CLELAND, Mr. JOHNSON, Ms. MIKULSKI, Mr. KERRY, Mr. LEVIN, and Mr. SARBANES) proposed an amendment to the bill, S. 1650, supra; as follows:

At the end of the title III, add the following:

21ST CENTURY COMMUNITY LEARNING CENTERS

SEC. . In addition to amounts otherwise appropriated under this title to carry out part I of title X of the Elementary and Secondary Act of 1965 (20 U.S.C. 8241 et seq.), \$200,000,000 which shall become available on October 1, 2000 and shall remain available through September 30, 2001 for academic year 2000–2001.

GREGG AMENDMENT NO. 1810

Mr. GREGG proposed an amendment to amendment No. 1809, proposed by Mrs. BOXER to the bill, S. 1650, supra; as follows:

At the end of the amendment proposed strike the “,” and insert the following: “(which funds shall, notwithstanding any other provision of this title, be used to carry out activities under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) in accordance with the require-

ments of such part, in lieu of being used to carry out part I of title X)”.

**BOXER (AND OTHERS)
AMENDMENT NO. 1811**

(Ordered to lie on the table.)

Mrs. BOXER (for herself, Mr. JOHN-SON, Ms. MIKULSKI, Mr. KERRY, Mr. LEVIN, and Mr. SARBANES) submitted an amendment intended to be proposed by them to the bill, S. 1650, supra; as follows:

At the end of the amendment, add the following:

Notwithstanding any other provision of this Act the following shall apply:

SEC. . In addition to amounts otherwise appropriated under this title to carry out part I of title X of the Elementary and Secondary Act of 1965 (20 U.S.C. 8241 et seq.), \$200,000,000 which shall become available on October 1, 2000 and shall remain available through September 30, 2001 for academic year 2000–2001.

HUTCHINSON AMENDMENT NO. 1812

(Ordered to lie on the table.)

Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill, S. 1650, supra; as follows:

At the end of title I, add the following:

**TRANSFER OF FUNDS FOR THE CONSOLIDATED
HEALTH CENTERS**

SEC. . Notwithstanding any other provision of this Act, \$25,472,000 of the amounts appropriated for the National Labor Relations Board under this Act shall be transferred and utilized to carry out projects for the consolidated health centers under section 330 of the Public Health Service Act (42 U.S.C. 254b).

NOTICE OF HEARING

**COMMITTEE ON AGRICULTURE, NUTRITION, AND
FORESTRY**

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on September 30, 1999, in SR-328A at 9 a.m. The purpose of this meeting will be to discuss the administration’s agriculture agenda for the upcoming World Trade Organization meeting in Seattle.

**AUTHORITY FOR COMMITTEES TO
MEET**

**COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS**

Mr. SPECTER. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a business meeting to consider pending business Wednesday, September 29, 10 a.m., hearing room (SD-406).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet on Wednesday, September 29, 1999, at 9:30 a.m., to hear testimony on