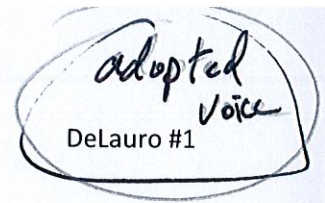


AMENDMENTS TO THE LABOR, HEALTH AND HUMAN SERVICES,
EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL
FY2021

Full Committee Markup
House Appropriations Committee
July 13, 2020



**Labor, Health & Human Services, Education, and Related Agencies Appropriations Bill,
Fiscal Year 2021**

Full Committee Mark Up

Chair DeLauro Manager's Amendment

July 13, 2020

In the Bill:

Page 50, line 16, strike "\$123,116,000" and insert "\$127,116,000".

Page 51, line 17, strike "\$129,093,000" and insert "\$131,093,000".

Page 96, line 11, strike "\$459,959,000" and insert "\$457,959,000".

Page 137, lines 8-9: strike "the number of blind vendors in such State as compared to".

Page 152, lines 11-21: strike "and that were less" through "repayment plans"

Page 152, line 24-25: strike "further"

Page 153, line 12: strike "second" and insert "first".

Page 153, line 16: strike "Act." and insert "Act: *Provided further*, That the Secretary shall inform all borrowers who have submitted an Employment Certification Form and are in the incorrect repayment program about the Temporary Expanded Public Service Loan Forgiveness Program and requirements for qualification under the program."

Page 175, line 25: strike "\$13,000,000" and insert "\$10,000,000".

In the Report:

On page 13, in the paragraph beginning with "The Committee is deeply troubled", strike "To date", and insert "More than 200 days since enactment"

On page 13, in the paragraph beginning with "The Committee is deeply troubled", strike "has not".

On page 23, after the paragraph entitled "*Remote Learning*", insert the following new paragraph:

"National Guard Job ChalleNGe.—The Committee appreciates the value and success of the National Guard's Youth ChalleNGe Program, and the benefits the Department of Labor's collaboration through Job ChalleNGe provides to the youth served through the experience. The occupational skills training, individualized career and academic counseling, work-based learning

opportunities, and leadership development activities provided through the Job ChalleNGe are even more vital services during the economic fallout of the current COVID pandemic.”

On page 36, after the paragraph beginning with “The Committee is concerned by reports”, insert the following paragraph:

“The Committee recognizes that menstrual hygiene products are basic health necessities and supports efforts by employers to provide menstrual hygiene products free of charge for employees.”

On page 37, before the account header “Veterans Employment and Training”, insert the following new paragraph:

“The Committee encourages the Department to consider using local media in their advertising, including local television, radio broadcast stations, and newspapers to the greatest extent possible. The Committee directs the Department to include in its fiscal year 2022 Congressional Budget Justification details on expenditures on local media advertising for the prior two fiscal years”.

On page 37, before the account header “Veterans Employment and Training”, insert the following new paragraph:

“The Committee directs the Department’s Division of Protective Operations, to the extent it has not already done so, to submit its use of force data to the Federal Bureau of Investigation’s National Use of Force Data Collection database. The Committee further directs, within 90 days of enactment of this Act, the Department to brief the Committees on Appropriations on its current efforts to tabulate and submit its use of force data to the FBI.”

On page 42, before the heading “Health Professions”, please insert the following paragraph:

*“Rural Health Workforce.—*The Committee encourages HRSA to explore opportunities for collaboration and partnership with schools and programs that offer rural residencies, rural health certificates, or otherwise recognized rural curriculum in order to increase the placement of health care providers and professionals with rural health training in HRSA Health Workforce Programs. The agency shall report to the Committees on these efforts within 60 days of enactment of this Act.”

On page 44, before the heading “Centers of Excellence (COEs)”, insert the following heading and paragraph:

“National Health Service Corps

The Committee directs HRSA to examine the application processes and eligibility requirements for both NHSC recruits and provider locations, including the HPSA

qualification and scoring. The Committee looks forward to receiving the report, as directed in House Report 116-62, with recommendations on how the NHSC program, including the HPSA application and scoring process, may be modified to increase recruitment and field strength as well as diversify provider sites on the roles of Department agencies in addressing gaps in maternal mental health, within 60 days of enactment of this Act.”

On page 55, before the header “Rural Health”, insert the following paragraph:

“The Committee recommends \$24,846,000 for Poison Control Centers, which is \$2,000,000 above the fiscal year 2020 enacted level and the fiscal year 2021 budget request. This program funds poison centers, supports a national emergency poison toll-free number (800-222-1222), and implements public education and outreach programs to educate and serve the public and health care providers. The Committee notes the impact of COVID-19, and significant State and hospital revenue loss, to the poison control program nationally. Poison centers are experiencing dramatic increases in intentional suspected suicides among youth, the misuse of household cleaners, bleach, and rubbing alcohol, and COVID-19 related anxiety, isolation, and depression, which is leading to increased use of substances and risk of self-harm and suicide.”

On page 57, before the heading “Telehealth”, insert the following heading and paragraph:

“Radiation Exposure Screening and Education

The Committee commends the work of the Radiation Exposure Screening and Education Program, which supports States most affected by the mining, transport, and processing of uranium and the testing of nuclear weapons for the Nation’s weapons arsenal.”

On page 63, after the paragraph beginning with “*Congenital Syphilis*”, insert the following paragraph:

“Emphasis on Comprehensive Services.—In recent fiscal years, the Committee has provided historic resources to combat the opioid epidemic, with a particular focus on expanding access to treatment, and treating and preventing comorbidities that can be associated with injection drug use. At the Committee’s urging, the Department has rightfully prioritized efforts that increase access to treatment and recovery services. For all programs not focused exclusively on prevention of substance abuse, the Committee directs the Department to continue its emphasis on evidence-based medical interventions, and to ensure that all such interventions, including programs that focus on harm reduction, provide referral to treatment and recovery services.”

On page 67, in the paragraph beginning with “Mycotic Diseases”, insert the following before “The Committee provides...”:

“The Committee is concerned about invasive mycological or fungal infections. These infections are a major cause of morbidity and mortality worldwide, leading to approximately 500,000 deaths annually. The overall disease burden is over 100 million people worldwide, and in the US, approximately one million new infections occur annually in a variety of immunocompetent and immunocompromised individuals.”

On page 79, strike the paragraph beginning with “Health Data Dashboard.”

On page 102, at the end of the paragraph beginning with “BRAIN Initiative”, insert the following:

“To achieve this goal, two specific projects outlined in a recent BRAIN 2.0 Initiative Advisory Committee report stand out for their importance to human health and technical viability: the Human Brain Cell Atlas and the Human Brain Projectome. Both projects are separate transformative projects that will culminate in a body of data that will provide the clearest view possible of the human brain. To be successful, these projects will require a focused, large-scale effort with multidisciplinary teams with open platforms for dissemination of the tools and knowledge realized. The Committee requests an update on this effort in the fiscal year 2022 Congressional Justification.”

On page 125, in the paragraph beginning “Rare Cancers Therapeutics Research and Development”, after the second full sentence, insert the following:

“Knowing that targeted cancer therapies frequently work more effectively and with fewer side effects than traditional chemotherapy and radiation, the Committee supports efforts to accelerate therapies for rare cancers and to support broader sharing of omic-related rare cancer data to accelerate research and drug development for these cancers.”

On page 129, in the second full sentence in the paragraph on “Black Men in Medicine and Science”, strike “strongly encourages the Director to allocate resources” and insert “directs the Director to allocate increased resources through the Common Fund”.

On page 129, in the fourth full sentence in the paragraph on “Black Men in Medicine and Science”, strike “strongly encourages” and insert “directs”.

On page 138, in the paragraph beginning with “NIH Chimp Retirements to Chimp Haven”, in the sixth full sentence, strike “reconsider” and replace with “resume” and add at the end of the sentence “no later than November 1, 2020 and complete by May 15, 2021”; and in the seventh full sentence, add at the end of the sentence “and conclude no later than November 1, 2022.”

On page 138, before the paragraph beginning with “Office of AIDS Research”, insert the following paragraph:

*“NIH Division of Police.—*The Committee directs the NIH Division of Police, to the extent it has not already done so, to submit their use of force data to the Federal Bureau of Investigation’s National Use of Force Data Collection database. The Committee further directs, within 90 days of enactment of this Act, the Director to brief the Committee on its current efforts to tabulate and submit its use of force data to the FBI.”

On page 141, after the paragraph beginning with “Rare Cancers”, insert the following paragraph:

*“SARS-CoV-2 Pediatric Research Agenda.—*The Committee is concerned with the impact of SARS-CoV-2 infection in children, including Multisystem Inflammatory Syndrome in Children (MIS-C) and impacts for children with underlying medical conditions. Therefore, the Committee directs NIH to establish a comprehensive SARS-CoV-2 pediatric research agenda and report to the Committee within 120 days of enactment of this Act on this program. The Committee asks NIH to consider identification of research needs focused on the novel coronavirus impacts on children and adolescents, how pediatric patients have been included in current NIH SARS-CoV-2 research and clinical trials, any disparities that have emerged in how children of different communities have been affected, the risk and protective factors children may produce against COVID-19 antigens, longer-term impacts of SARS-CoV-2 on child health, research focused on treatments and prevention methods for SARS-Cov-2 focused on children and adolescents when creating this agenda.”

On page 146, in the paragraph beginning “Now Is the Time”, after the second full sentence, insert the following:

“The Committee is concerned that some States were notified that they would not be receiving already approved funding due to a new requirement, and urges SAMHSA to not change requirements mid-award cycle.”

On page 151, after the paragraph beginning with “Criminal Justice Activities”, insert the following paragraph:

*“Emphasis on Comprehensive Services.—*In recent fiscal years, the Committee has provided historic resources to combat the opioid epidemic, with a particular focus on expanding access to treatment, and treating and preventing comorbidities that can be associated with injection drug use. At the Committee’s urging, the Department has rightfully prioritized efforts that increase access to treatment and recovery services. For all programs not focused exclusively on prevention of substance abuse, the Committee directs the Department to continue its emphasis on evidence-based medical interventions, and to ensure that all such interventions, including programs that focus on harm reduction, provide referral to treatment and recovery services.”

On page 163, insert the following new paragraph after the paragraph on Geographic Practice Cost Index:

”Health Data Dashboard.—In order to improve health outcomes of Medicaid beneficiaries and improve efficiency of Medicaid payment models, the Committee encourages CMS, in coordination with CDC, to establish a pilot program to facilitate the integration of population health and social and economic determinants of health into a health care data platform. Such a platform should be able to create performance indicators for State Medicaid programs.”

On page 200, under the header “*Traumatic Brain Injury*”, add the following sentence to the end of the paragraph:

“The Committee encourages ACL to expand efforts to better understand the impacts of TBI on young people.”

On page 201, under the header “*Developmental Disabilities Protection and Advocacy*”, insert the following after the existing paragraph:

“The Committee notes that the Supreme Court decision in *Olmstead v. L.C.* (1999) held that the Americans with Disabilities Act (ADA) does not require removing individuals from institutional settings when they are unable to handle or benefit from a community-based setting and that the ADA does not require community-based treatment on patients who do not desire it. The Committee supports efforts that ensure programs properly account for the needs and desires of patients, their families, and caregivers and the importance of affording patients the proper setting for their care.”

On page 203, insert the following new paragraph after the paragraph on Advertising Contracts:

“In addition, the Committee encourages the Department to consider using local media in their advertising, including local television, radio broadcast stations, and newspapers to the greatest extent possible. The Committee directs the Department to include in its fiscal year 2022 Congressional Budget Justification details on expenditures on local media advertising for the prior two fiscal years.”

On page 205, insert the following new paragraph after the paragraph on Coordination of Vector-Borne Disease Control:

“County Level Data.—The Committee encourages agencies, when feasible, to collect and report county-level data for programs funded through Federal formula grants to States.”

On page 205, insert the following new paragraph after the paragraph on Data Science:

*“Dietary Guidelines for Americans Advisory Committee.—*The Committee encourages the Dietary Guidelines for Americans Advisory Committee to take into account sound scientific evidence while developing the Dietary Guidelines for Americans.”

On page 206, insert the following new paragraph after the paragraph on Evidence-based Grants and Policy:

*“Geriatric Centers of Excellence.—*The Committee is concerned about demographic challenges driven by an aging population. The Committee directs the Secretary to submit a report within 180 days of enactment of this Act about how to create the most effective and efficient models for “geriatric centers of excellence,” which would serve as hubs to provide integrated and holistic supportive care for the aging population while monitoring and managing performance of the community’s eldercare arrangements. The report should address issues of how these centers will engage in clinical care, as well as provide an array of services and supports to make community living a possibility for more elders. The report should address how a cohort of local geriatric centers of excellence could be used to test and disseminate best practices. Moreover, the report should examine the benefits of establishing geriatric centers of excellence in a variety of settings, including urban, suburban, or rural areas.”

On page 207, insert the following new paragraph after the paragraph on Lyme Disease:

*“Maternal Mental Health.—*The Committee looks forward to receiving a report, as directed in House Report 116-62, on the roles of Department agencies in addressing gaps in maternal mental health.”

On page 208, insert the following new paragraph after the paragraph on Prematurity and Maternal Mortality:

*“Regional Coordination.—*The Committee supports efforts to encourage and expand greater regional collaboration in the competitive grant process. The Committee encourages the Secretary to consider including regional councils and councils of governments as eligible entities in competitions for Federal funding when permitted by program statute.”

On page 209, insert the following new paragraph after the paragraph on Social Determinants Council:

*“Social Media and Negative Outcomes.—*The Committee supports efforts by the Secretary to investigate whether there is a relationship between the use of social media and negative social and individual outcomes, including clinical and undiagnosed depression; self-harm, such as suicide, attempted suicide, and suicidal intent; harm to others; cyber bullying; chronic anxiety; or social isolation. Such investigation should consider the role of content and presentation in social media that is linked to negative outcomes, as well as the design of

algorithms to prioritize user engagement. The Committee requests an update on this topic within 180 days of enactment of this Act.”

On page 217, after the paragraph beginning with “Assisted Suicide Laws and Disabled Americans”, insert the following paragraph:

“*Rehabilitation Act.*—The Committee directs the Secretary to fully enforce the Rehabilitation Act of 1973 and the Americans with Disabilities Act.”

On page 218, under the header “Office of the Assistant Secretary for Preparedness and Response”, insert the following paragraph before “Public Health Emergency Medical Countermeasures Enterprise Multi-Year Budget”:

“*Mission Zero.*—The Committee encourages ASPR to pursue partnerships between military and civilian trauma care providers to ensure trauma care readiness by integrating military trauma care providers into civilian trauma centers. The Committee requests an update on such efforts in the fiscal year 2022 Congressional Budget Justification.”

On page 219, under the header “*National Disaster Medical System*”, insert the following paragraph after “Pediatric Disaster Care”:

“*Regional Coordination.*—The Committee supports the Department’s approach to improve the disaster readiness of the Nation by better coordinating the existing assets within a State and within regions.”

On page 223, insert the following new paragraph after the paragraph on Inventory of Ventilators and Personal Protective Equipment:

“*Medical Center Surge Response Capabilities.*—The Committee is aware of concerns regarding the lack of medical center surge response capabilities. Therefore, the Committee encourages ASPR to explore the acquisition of modular temporary containment wall systems for deployment during national public health emergencies to provide scalable treatment centers and for the Strategic National Stockpile for use in future emergencies.”

On page 260, in the paragraph beginning “*State and Nonprofit Subcontracting*”, strike “businesses.”, and insert the following: “businesses, including the Next Generation Processing and Servicing Environment. Further, the Committee directs the Department to include an update in the fiscal year 2022 Congressional Budget Justification on these incentives, its contracting and subcontracting processes, including barriers for State and nonprofit organizations and small businesses among subcontractors and strategies for addressing such barriers. Where not prohibited by Federal law or regulation, the Committee directs the Department to publish any contract or subcontract award related to the Business Process Operations solicitation on the Federal Student Aid Data Center website within 30 days of such information becoming available.”

On page 272, strike the following sentence in the second paragraph on the page:

“To continue this vital function, the Committee notes the need to modernize the hospital’s facilities and will continue to evaluate the needs of this multi-year initiative.”

On page 272, insert the following sentence at the end of the second paragraph on the page:

“To continue this vital function, the Committee includes \$10,000,000 to begin work to modernize the hospital’s facilities and will continue to evaluate the needs of this multi-year initiative.”

On page 281, before the account heading “Office for Civil Rights”, insert the following new paragraph:

“Local Media.—The Committee encourages the Department to consider using local media in their advertising, including local television, radio broadcast stations, and newspapers to the greatest extent possible. The Committee directs the Department to include in its fiscal year 2022 Congressional Budget Justification details on expenditures on local media advertising for the prior two fiscal years.”

On page 296, under the heading “Limitation on Administration”, in the first paragraph, strike “\$13,000,000” and insert “\$10,000,000”.

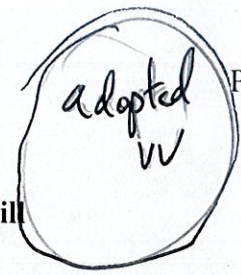
On page 299, before the paragraph “*Disability Payments*”, insert the following new paragraph:

“Disability Case Processing System (DCPS).—The Committee requests an update on the implementation of DCPS in the fiscal year 2022 Congressional Budget Justification.”

On page 299, insert the following new paragraph after the paragraph on Labor-Management Relations:

“Local Media.—The Committee encourages SSA to consider using local media in their advertising, including local television, radio broadcast stations, and newspapers to the greatest extent possible. The Committee directs SSA to include in its fiscal year 2022 Congressional Budget Justification details on expenditures on local media advertising for the prior two fiscal years.”

**Amendment to
Labor, HHS, Education Appropriations Bill
Offered by Mr. Pocan of Wisconsin**



Pocan #1

On page 207 of the committee report, insert the following new paragraph after the paragraph on Lyme Disease:

Mental Health Parity.—The Committee recognizes the important role Mental Health parity laws have in ensuring access to medical care and treatment. The Mental Health Parity and Addiction Equality Act (MHPAEA) requires insurers to cover care for mental health and substance use disorders at the same level as other medical and surgical care services. However, without proper oversight and compliance, patients are left fighting for coverage of benefits. The Committee is concerned there is still a lack of compliance among insurance companies not adequately covering mental and behavioral health services and providers more than 11 years after MHPAEA passed. In FY 2017, the Department of Labor (DOL) conducted 187 investigations and found 92 insurers were noncompliant. Furthermore, in December 2019, the Government Accountability Office reported that this lack of compliance extends beyond the DOL and includes Health and Human Services (HHS) employer-sponsored health plans. The Committee directs the Secretary of HHS to coordinate with the Secretary of Labor and the Secretary of the Treasury to create guidelines, within 90 days of enactment, in which all employer-sponsored health plans are required to submit an annual public compliance report, with the application of nonquantitative treatment limitations while ensuring that any proprietary, personal, or confidential consumer information is protected. The public compliance report shall be based on the Department of Labor’s Self-Compliance Tool for the MHPAEA. The Secretary of HHS shall also annually report any auditing and enforcement of all plans.