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1 {York Stenographic Services, Inc.}

2 RPTS J. BROWN

3 HIF058.140

4 MARKUP ON H.R. 3548, IMPROVING TRAUMA CARE ACT OF 2013;

5 H.R. 4080, TRAUMA SYSTEMS AND REGIONALIZATION OF EMERGENCY

6 CARE REAUTHORIZATION ACT

7 H.R. 1281, NEWBORN SCREENING SAVES LIVES REAUTHORIZATION ACT

8 OF 2013; AND

9 H.R. 1528, VETERINARY MEDICINE MOBILITY ACT OF 2013

10 THURSDAY, FEBRUARY 27, 2014

11 House of Representatives,

12 Subcommittee on Health

13 Committee on Energy and Commerce

14 Washington, D.C.

15 The subcommittee met, pursuant to call, at 3:04 p.m., in

16 Room 2123 of the Rayburn House Office Building, Hon. Joe

17 Pitts [Chairman of the Subcommittee] presiding.

18 Members present: Representatives Pitts, Burgess, Murphy,

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19 Blackburn, Lance, Cassidy, Guthrie, Griffith, Bilirakis,  
20 Pallone, Green, and Barrow.

21 Staff present: Nick Abraham, Legislative Clerk; Clay  
22 Alspach, Chief Counsel, Health; Gary Andres, Staff Director;  
23 Mike Bloomquist, General Counsel; Sean Bonyun, Communications  
24 Director; Matt Bravo, Professional Staff Member; Noelle  
25 Clemente, Press Secretary; Sydne Harwick, Legislative Clerk;  
26 Brittany Havens, Legislative Clerk; Robert Horne,  
27 Professional Staff Member, Health; Peter Kielty, Deputy  
28 General Counsel; Katie Novaria, Professional Staff Member,  
29 Health; Heidi Stirrup, Health Policy Coordinator; Tom Wilbur,  
30 Digital Media Advisor; Jessica Wilkerson, Committee Clerk;  
31 Ziky Ababiya, Democratic Staff Assistant; Michelle Ash,  
32 Democratic Chief Counsel, Commerce, Manufacturing, and Trade;  
33 Jen Berenholz, Democratic Chief Clerk; Eric Flamm, Democratic  
34 FDA Detailee; Elizabeth Letter, Democratic Press Secretary;  
35 Karen Nelson, Democratic Deputy Committee Staff Director for  
36 Health; and Anne Morris Reid, Democratic Senior Professional  
37 Staff Member.

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|  
38           Mr. {Pitts.} The subcommittee will come to order. The  
39 Chair recognizes himself for an opening statement.

40           Today we are marking up four bipartisan public health  
41 bills. The first two are trauma-related, H.R. 3548, the  
42 Improving Trauma Care Act of 2013, introduced by  
43 Representative Bill Johnson, which expands the definition the  
44 definition of ``trauma'' under the Public Health Service Act  
45 to include injury resulting from exposure to thermal,  
46 electrical, chemical, radioactive and other agents.

47           H.R. 4080, the Trauma Systems and Regionalization of  
48 Emergency Care Reauthorization Act, introduced by Dr.  
49 Burgess, which would reauthorize two important grant  
50 programs, the Trauma Care Systems Planning Grants and the  
51 Regionalization of Emergency Care Systems.

52           The first supports State and rural development of trauma  
53 systems and the second funds pilot projects to design,  
54 implement and evaluate innovative models of regionalized  
55 emergency care.

56           We know that immediate access to trauma care within the  
57 golden hour after injury is critical. By improving access to  
58 the specialized care designed to treat trauma injuries, both  
59 of these trauma bills will save lives.

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60           Our third bill is H.R. 1528, the Veterinary Medicine  
61 Mobility Act of 2013, introduced by Representative Kurt  
62 Schrader, which allows veterinarians to legally carry and  
63 dispense controlled substances in the field. This bill has a  
64 direct impact on my district, home of the University of  
65 Pennsylvania's School of Veterinary Medicine New Bolton  
66 Center. Vets are often required to provide ambulatory  
67 services in the field, especially in rural areas and for the  
68 care of large animals like cows and horses. Sometimes it is  
69 not feasible for owners to bring the animals to a hospital or  
70 clinic like New Bolton Center, and so vets provide such house  
71 call visits. Clarification of the law is necessary to allow  
72 vets to transport, administer and dispense controlled  
73 substances outside of their registered location.

74           And finally, we have H.R. 1281, the Newborn Screening  
75 Saves Lives Reauthorization Act of 2013, introduced by  
76 Representative Lucille Roybal-Allard, which reauthorizes  
77 federal programs that provide assistance to States to improve  
78 and expand their newborn screening programs, support parent  
79 and provider education, and ensure laboratory quality and  
80 surveillance. Early screening and diagnosis can be life  
81 changing for these children and their families.

82           I look forward to reporting each of these bills to the

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83 full committee.

84 [The prepared statement of Mr. Pitts follows:]

85 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|  
86           Mr. {Pitts.} I yield back, and I now recognize the  
87 gentleman from New Jersey, Mr. Pallone, for 3 minutes for his  
88 opening statement.

89           Mr. {Pallone.} Thank you, Chairman Pitts. I want to  
90 commend you for holding this subcommittee markup today, that  
91 we did not have the opportunity for most of the bills or at  
92 least to examine them at a legislative, I am encouraged that  
93 we have been able to work on them in a bipartisan way.

94           There are four bills before us today on several  
95 different public health issues, and I am glad we are moving  
96 forward on them. I just wanted to say a few words about  
97 each, if I could. Firstly, I support H.R. 1281, the Newborn  
98 Screening Saves Lives Reauthorization Act of 2013, which we  
99 did have the opportunity to discuss at a legislative hearing  
100 last November. Newborn screening allows thousands of infants  
101 every year the chance to recognize certain conditions early  
102 on so that they can be successfully managed, leading to  
103 better health later in life. Given the enormous benefit of  
104 early recognition and treatment, it's vital that we continue  
105 to support States' programs for screening, counseling,  
106 education and other related services.

107           I also support the two bills related to trauma care:

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108 H.R. 3548, the Improving Trauma Care Act of 2013, and H.R.  
109 4080, the Trauma Systems and Regionalization of Emergency  
110 Care Reauthorization Act. H.R. 3548 updates the definition  
111 of ``trauma'' in statute to include injuries from burns and  
112 chemical or other exposure. My colleagues, Mr. Green and Mr.  
113 Burgess, have been leaders on trauma care issues, and I thank  
114 them for their work on H.R. 4080. The grant programs in H.R.  
115 4080 are aimed at planning and implementing trauma care  
116 systems in the States and establishing pilot projects for  
117 innovative models of regionalized trauma care. Since  
118 traumatic injury is the leading cause of death for children  
119 and adults under the age of 45, it's important that States  
120 are equipped to deliver medical services as timely as  
121 possible.

122 And finally, Mr. Chairman, I support H.R. 1528, the  
123 Veterinary Medicine Mobility Act of 2013. This bill would  
124 allow veterinarians to dispense controlled substances in the  
125 usual course of their practice, not only at their registered  
126 principal place of business but also at other sites such as  
127 farms. For large animals and rural veterinarians, this is a  
128 commonsense change that will help them in their practice. I  
129 heard you, Mr. Chairman, talk about the New Bolton Center.  
130 As you know, I have been there a couple of times and was

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131 always very impressed with the facilities there at the  
132 University of Pennsylvania in your district.

133 So finally, I would urge my colleagues to support these  
134 bills, which I know are priorities for many of us on the  
135 committee, and I look forward to further working with my  
136 Republican colleagues on additional important public health  
137 initiatives. Thank you.

138 [The prepared statement of Mr. Pallone follows:]

139 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|  
140 Mr. {Pitts.} The Chair thanks the gentleman and now  
141 recognizes the vice chairman of the subcommittee, Dr.  
142 Burgess, for 1 minute.

143 Dr. {Burgess.} Thank you, Mr. Chairman, and I do  
144 support each of the bills we are marking up today.

145 In regard to H.R. 4080, trauma is the leading cause of  
146 death under age 65. It is expensive, costing over \$400  
147 billion a year, third only to heart disease and cancer. Over  
148 several years, Mr. Green and I have worked together to ensure  
149 reauthorization of crucial trauma grant programs. As a  
150 result, today we will be voting on the Trauma Systems  
151 Regionalization of Emergency Care Reauthorization Act, H.R.  
152 4080. With the expiration of the authorization this year,  
153 this reauthorization allows for funding for trauma systems  
154 development and the regionalization of emergency care. These  
155 programs are designed to improve patient outcomes, save lives  
156 and cut costs. The legislation has the support of 10 major  
157 trauma, emergency and health care organizations. I have  
158 their letters of support, and I will submit those for the  
159 record.

160 It is essential that none of these critical trauma  
161 programs expire under our watch, and I urge support for H.R.

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162 4080, and yield back.

163 [The prepared statement of Dr. Burgess follows:]

164 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|

165           Mr. {Pitts.} The Chair thanks the gentleman and the  
166 Chair recognizes Mr. Pallone.

167           Mr. {Pallone.} Mr. Chairman, I would just like to enter  
168 the statement of Mr. Waxman into the record.

169           Mr. {Pitts.} Without objection, so ordered.

170           [The prepared statement of Mr. Waxman follows:]

171 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|

172           Mr. {Pitts.} The Chair reminds Members that pursuant to  
173 Committee Rules, all Members' opening statements will be made  
174 part of the record.

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|

175 H.R. 3548

176 Mr. {Pitts.} The Chair now calls up H.R. 3548 and asks  
177 the clerk to report.

178 The {Clerk.} H.R. 3548, to amend Title XII of the  
179 Public Health Service Act to expand the definition of  
180 ``trauma'' to include thermal--

181 [H.R. 3548 follows:]

182 \*\*\*\*\* INSERT 1 \*\*\*\*\*

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|  
183           Mr. {Pitts.} Without objection, the first reading of  
184 the bill is dispensed with and the bill will be open for  
185 amendment at any point. So ordered.

186           Dr. {Burgess.} Mr. Chairman, I have an amendment at the  
187 desk.

188           Mr. {Pitts.} The Chair recognizes the gentleman, Dr.  
189 Burgess, for the purpose of offering an amendment.

190           Dr. {Burgess.} Mr. Chairman, this is an amendment in  
191 the nature of a substitute for H.R. 3548. The bill amends  
192 the Public Health Service Act to improve the definition of  
193 trauma by including injuries caused by thermal, electrical,  
194 chemical or radioactive force. These injuries are commonly  
195 treated by burn centers.

196           The amendment ensures that the definition is changed in  
197 all relevant sections of the Public Health Service Act. The  
198 amendment is supported by 10 trauma, burn and health care  
199 organizations. I am certainly glad to be a cosponsor of the  
200 underlying legislation and have worked closely with Mr.  
201 Johnson from Ohio on this issue and this legislation. I urge  
202 support from the committee for the amendment and the  
203 underlying bill, H.R. 3548.

204           Mr. {Pitts.} The clerk will report the amendment.

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205           The {Clerk.} Amendment in the nature of a substitute to

206 H.R. 3548 offered by Mr. Burgess of Texas.

207           [The amendment of Mr. Burgess follows:]

208           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|  
209 Mr. {Pitts.} Without objection, the reading of the  
210 amendment is dispensed with.

211 Is there further discussion of the amendment?

212 If not, all those in favor shall signify by saying aye.

213 All those opposed, no.

214 The ayes have it, and the amendment is agreed to.

215 Are there any other amendments? If there are no other  
216 amendments, the question now occurs on forwarding H.R. 3548  
217 to the full committee as amended.

218 All those in favor, say aye.

219 Those opposed, no.

220 The ayes appear to have it. The ayes have it, and the  
221 bill is agreed to.

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|

222 H.R. 4080

223 Mr. {Pitts.} The Chair now calls up H.R. 4080 and asks  
224 the clerk to report.

225 The {Clerk.} H.R. 4080, to amend Title XII of the  
226 Public Health Service Act to reauthorize certain trauma care  
227 programs, and for other purposes.

228 [H.R. 4080 follows:]

229 \*\*\*\*\* INSERT 2 \*\*\*\*\*

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|  
230 Mr. {Pitts.} Without objection, the first reading of  
231 the bill is dispensed with, and the bill will be open for  
232 amendment at any point. So ordered.

233 The Chair recognizes Dr. Burgess to offer--do you have  
234 an amendment?

235 Dr. {Burgess.} Mr. Chairman, I have an amendment at the  
236 desk.

237 Mr. {Pitts.} The clerk will report the amendment.

238 The {Clerk.} Amendment to H.R. 4080 offered by Mr.  
239 Burgess of Texas.

240 [The amendment of Dr. Burgess and Mr. Green follows:]

241 \*\*\*\*\* INSERT 3 \*\*\*\*\*

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|  
242 Mr. {Pitts.} Without objection, the reading of the  
243 amendment is dispensed with, and Dr. Burgess is recognized  
244 for 5 minutes in support of the amendment.

245 Dr. {Burgess.} Thank you, Mr. Chairman, and actually,  
246 first off, I can ask unanimous consent--I don't think I did  
247 that previously--about the letters of support for H.R. 4080?  
248 I ask unanimous consent that they be entered into the record.

249 Mr. {Pitts.} Without objection, so ordered.

250 [The information follows:]

251 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|  
252 Dr. {Burgess.} Thank you, Mr. Chairman.

253 During my opening statement, I outlined the importance  
254 and the long bipartisan and unanimous support for trauma  
255 systems before the committee, and I certainly want to thank  
256 Mr. Green of Texas for introducing legislation with me.

257 As I stated before, it is something we worked on for  
258 years and it is an issue that both of us remain committed.

259 I also want to thank you and the committee staff for  
260 working with us to get us to this point. As you know, I  
261 appreciate your commitment to working towards reauthorization  
262 of the Trauma Service Availability Grants and the Trauma Care  
263 Center Grants in the near future, and I hope you will help us  
264 get these programs on a single reauthorization schedule.

265 Today we address the most pressing expiration, but as  
266 envisioned in the larger legislation Mr. Green and I will be  
267 introducing, we must address all necessary updates to the  
268 trauma program under the Public Health Service Act and ensure  
269 that none expires.

270 The technical amendment I am offering with Mr. Green  
271 makes two small changes to the underlying legislation.  
272 First, it makes a technical correction to a citation and  
273 mandates a report to Congress on how States have distributed

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274 their funds to support their trauma systems. What we are  
275 doing today is the first step towards ensuring the  
276 development of critical trauma and emergency services for all  
277 of our constituents. I urge Members' support of the  
278 amendment and the underlying bill, and I will yield back to  
279 the chairman.

280 Mr. {Pitts.} The chair thanks the gentleman.

281 Is there further discussion of the amendment? If there  
282 is no further discussion, the vote occurs on the amendment.

283 All those in favor shall signify by saying aye.

284 All those opposed, no.

285 The ayes have it, and the amendment is agreed to.

286 The question now occurs on forwarding the bill to the  
287 full committee as amended.

288 All those in favor, say aye.

289 Those opposed, no.

290 The ayes appear to have it. The ayes have it, and the  
291 bill is agreed to.

292 Mr. {Green.} Can I ask unanimous consent to place a  
293 statement into the record? I apologize for being late.

294 Mr. {Pitts.} Without objection, so ordered.

295 [The prepared statement of Mr. Green follows:]

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296 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|

297 H.R. 1281

298 Mr. {Pitts.} All right. The Chair calls up H.R. 1281  
299 and asks the clerk to report.

300 The {Clerk.} H.R. 1281, to amend the Public Health  
301 Service Act to reauthorize programs under Part A of Title XI  
302 of such Act.

303 [H.R. 1281 follows:]

304 \*\*\*\*\* INSERT 4 \*\*\*\*\*

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|

305           Mr. {Pitts.} Without objection, the first reading of  
306 the bill is dispensed with, and the bill will be open for  
307 amendment at any point. So ordered.

308           The Chair recognizes himself to offer an amendment in  
309 the nature of a substitute, and the clerk will report the  
310 amendment.

311           The {Clerk.} Amendment in the nature of a substitute to  
312 H.R. 1281 offered by Mr. Pitts.

313           [The amendment of Mr. Pitts follows:]

314           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|  
315           Mr. {Pitts.} Without objection, the reading of the  
316 amendment is dispensed with.

317           Is there any discussion of the amendment? If there is  
318 no discussion, the question now occurs on the amendment in  
319 the nature of a substitute.

320           All those in favor by signify by saying aye.

321           All those opposed, no.

322           The ayes have it, and the amendment is agreed to.

323           The question now occurs on forwarding H.R. 1281 to the  
324 full Committee as amended.

325           All those in favor, say aye.

326           Those opposed, no.

327           The ayes appear to have it, and the ayes have it, and  
328 the bill is agreed to.

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|

329 H.R. 1528

330 Mr. {Pitts.} All right. The Chair now calls up H.R.

331 1528 and asks the clerk to report.

332 The {Clerk.} H.R. 1528, to amend the Controlled

333 Substances Act to allow a veterinarian to transport and

334 dispense controlled substances in the usual course of

335 veterinary practice outside--

336 [H.R. 1528 follows:]

337 \*\*\*\*\* INSERT 5 \*\*\*\*\*

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|  
338           Mr. {Pitts.} Without objection, the first reading of  
339 the bill is dispensed with. The bill will be open for  
340 amendment at any point. So ordered.

341           The Chair now recognizes Dr. Burgess for an amendment.

342           The {Clerk.} Amendment to H.R. 1528 offered by Mr.  
343 Burgess.

344           [The amendment of Dr. Burgess follows:]

345           \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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|  
346 Mr. {Pitts.} The Chair recognizes Dr. Burgess 5 minutes  
347 to speak on the amendment.

348 Dr. {Burgess.} Mr. Chairman, the amendment makes a very  
349 small technical change, and the vice chair urges the  
350 committee's support and the support of the underlying bill,  
351 and yield back.

352 Mr. {Pitts.} Is there any further discussion on the  
353 amendment? If not, the votes occurs on the amendment.

354 All those in favor shall signify by saying aye.

355 Those opposed, no.

356 The ayes have it, and the amendment is agreed to.

357 The question now occurs on forwarding the bill to the  
358 full Committee as amended.

359 All those in favor, say aye.

360 Those opposed, no.

361 The ayes appear to have it. The ayes have it, and the  
362 bill is agreed to.

363 Without objection, staff is authorized to make technical  
364 and conforming changes to the legislation considered by the  
365 subcommittee today. So ordered.

366 That concludes the business of the markup. Without  
367 objection, the subcommittee stands adjourned.

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368 [Whereupon, at 3:20 p.m., the Subcommittee was

369 adjourned.]