

**Suspend the Rules and Pass the Bill, H.R. 5329, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5329

To amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2018

Mrs. BROOKS of Indiana (for herself, Mr. ENGEL, Mr. BARTON, and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, 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 “Poison Center Network  
5 Enhancement Act of 2018”.

1 **SEC. 2. REAUTHORIZATION OF POISON CONTROL CENTERS**  
2 **NATIONAL TOLL-FREE NUMBER.**

3 Section 1271 of the Public Health Service Act (42  
4 U.S.C. 300d-71) is amended to read as follows:

5 **“SEC. 1271. ESTABLISHMENT AND MAINTENANCE OF THE**  
6 **NATIONAL TOLL-FREE NUMBER AND EN-**  
7 **HANCED COMMUNICATIONS CAPABILITIES.**

8 “(a) IN GENERAL.—The Secretary shall provide co-  
9 ordination and assistance to poison control centers for—

10 “(1) the development, establishment, implemen-  
11 tation, and maintenance of a nationwide toll-free  
12 phone number; and

13 “(2) the enhancement of communications capa-  
14 bilities, which may include text capabilities.

15 “(b) CONSULTATION.—The Secretary may consult  
16 with nationally recognized professional organizations in  
17 the field of poison control to determine the best and most  
18 effective means of achieving the goals described in para-  
19 graphs (1) and (2) of subsection (a).

20 “(c) RULE OF CONSTRUCTION.—In assisting with  
21 public health emergencies, responses, or preparedness,  
22 nothing in this section shall be construed to restrict the  
23 work of poison control centers or the use of their resources  
24 by the Secretary or other governmental agencies.

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to carry out this section  
3 \$700,000 for each of fiscal years 2019 through 2023.”.

4 **SEC. 3. REAUTHORIZATION OF NATIONWIDE PUBLIC**  
5 **AWARENESS CAMPAIGN TO PROMOTE POI-**  
6 **SON CONTROL CENTER UTILIZATION.**

7 Section 1272 of the Public Health Service Act (42  
8 U.S.C. 300d–72) is amended to read as follows:

9 **“SEC. 1272. NATIONWIDE PUBLIC AWARENESS CAMPAIGN**  
10 **TO PROMOTE POISON CONTROL CENTER UTI-**  
11 **LIZATION AND THEIR PUBLIC HEALTH EMER-**  
12 **GENCY RESPONSE CAPABILITIES.**

13 “(a) IN GENERAL.—The Secretary shall—

14 “(1) carry out, and expand upon, a national  
15 public awareness campaign to educate the public and  
16 health care providers about—

17 “(A) poisoning, toxic exposure, and drug  
18 misuse prevention; and

19 “(B) the availability of poison control cen-  
20 ter resources in local communities; and

21 “(2) as part of such campaign, highlight the  
22 nationwide toll-free number and enhanced commu-  
23 nications capabilities supported under section 1271.

24 “(b) CONSULTATION.—In carrying out and expand-  
25 ing upon the national campaign under subsection (a), the

1 Secretary may consult with nationally recognized profes-  
2 sional organizations in the field of poison control response  
3 for the purpose of determining the best and most effective  
4 methods for achieving public awareness.

5 “(c) CONTRACT WITH ENTITY.—The Secretary may  
6 carry out subsection (a) by entering into contracts with  
7 one or more public or private entities, including nationally  
8 recognized professional organizations in the field of poison  
9 control and national media firms, for the development and  
10 implementation of the awareness campaign under sub-  
11 section (a), which may include—

12 “(1) the development and distribution of poi-  
13 soning and toxic exposure prevention, poison control  
14 center, and public health emergency awareness and  
15 response materials;

16 “(2) television, radio, internet, and newspaper  
17 public service announcements; and

18 “(3) other means and activities to provide for  
19 public and professional awareness and education.

20 “(d) EVALUATION.—The Secretary shall—

21 “(1) establish baseline measures and bench-  
22 marks to quantitatively evaluate the impact of the  
23 nationwide public awareness campaign carried out  
24 under this section; and

1           “(2) on a biennial basis, prepare and submit to  
2           the appropriate committees of Congress an evalua-  
3           tion of the nationwide public awareness campaign.

4           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
5           is authorized to be appropriated to carry out this section,  
6           \$800,000 for each of fiscal years 2019 through 2023.”.

7           **SEC. 4. REAUTHORIZATION OF THE POISON CONTROL CEN-**  
8                                   **TER GRANT PROGRAM.**

9           Section 1273 of the Public Health Service Act (42  
10          U.S.C. 300d–73) is amended to read as follows:

11          **“SEC. 1273. MAINTENANCE OF THE POISON CONTROL CEN-**  
12                                   **TER GRANT PROGRAM.**

13          “(a) AUTHORIZATION OF PROGRAM.—The Secretary  
14          shall award grants to poison control centers accredited  
15          under subsection (c) (or granted a waiver under subsection  
16          (d)) and nationally recognized professional organizations  
17          in the field of poison control for the purposes of—

18                           “(1) preventing, and providing treatment rec-  
19                           ommendations for, poisonings and toxic exposures  
20                           including opioid and drug misuse;

21                           “(2) assisting with public health emergencies,  
22                           responses, and preparedness; and

23                           “(3) complying with the operational require-  
24                           ments needed to sustain the accreditation of the cen-  
25                           ter under subsection (c).

1       “(b) ADDITIONAL USES OF FUNDS.—In addition to  
2 the purposes described in subsection (a), a poison center  
3 or professional organization awarded a grant under such  
4 subsection may also use amounts received under such  
5 grant—

6           “(1) to research, establish, implement, and  
7 evaluate best practices in the United States for poi-  
8 soning prevention, poison control center outreach,  
9 opioid and drug misuse information and response,  
10 and public health emergency, response, and pre-  
11 paredness programs;

12           “(2) to research, develop, implement, revise,  
13 and communicate standard patient management  
14 guidelines for commonly encountered toxic expo-  
15 sures;

16           “(3) to improve national toxic exposure and  
17 opioid misuse surveillance by enhancing cooperative  
18 activities between poison control centers in the  
19 United States and the Centers for Disease Control  
20 and Prevention and other governmental agencies;

21           “(4) to research, improve, and enhance the  
22 communications and response capability and capac-  
23 ity of the Nation’s network of poison control centers  
24 to facilitate increased access to the centers through  
25 the integration and modernization of the current

1       poison control centers communications and data sys-  
2       tem, including enhancing the network’s telephony,  
3       internet, data, and social networking technologies;

4           “(5) to develop, support, and enhance tech-  
5       nology and capabilities of nationally recognized pro-  
6       fessional organizations in the field of poison control  
7       to collect national poisoning, toxic occurrence, and  
8       related public health data;

9           “(6) to develop initiatives to foster the en-  
10      hanced public health utilization of national poison  
11      data collected by such organizations;

12          “(7) to support and expand the toxicologic ex-  
13      pertise within poison control centers; and

14          “(8) to improve the capacity of poison control  
15      centers to answer high volumes of contacts and  
16      internet communications, and to sustain and en-  
17      hance the poison control center’s network capability  
18      to respond during times of national crisis or other  
19      public health emergencies.

20          “(c) ACCREDITATION.—Except as provided in sub-  
21      section (d), the Secretary may award a grant to a poison  
22      control center under subsection (a) only if—

23           “(1) the center has been accredited by a nation-  
24      ally recognized professional organization in the field  
25      of poison control, and the Secretary has approved

1 the organization as having in effect standards for  
2 accreditation that reasonably provide for the protec-  
3 tion of the public health with respect to poisoning;  
4 or

5 “(2) the center has been accredited by a State  
6 government, and the Secretary has approved the  
7 State government as having in effect standards for  
8 accreditation that reasonably provide for the protec-  
9 tion of the public health with respect to poisoning.

10 “(d) WAIVER OF ACCREDITATION REQUIREMENTS.—

11 “(1) IN GENERAL.—The Secretary may grant a  
12 waiver of the accreditation requirements of sub-  
13 section (c) with respect to a nonaccredited poison  
14 control center that applies for a grant under this  
15 section if such center can reasonably demonstrate  
16 that the center will obtain such an accreditation  
17 within a reasonable period of time as determined ap-  
18 propriate by the Secretary.

19 “(2) RENEWAL.—The Secretary may renew a  
20 waiver under paragraph (1).

21 “(3) LIMITATION.—The Secretary may not,  
22 after the date of enactment of the Poison Control  
23 Network Enhancement Act of 2018, grant to a poi-  
24 son control center waivers or renewals that total  
25 more than 5 years.



1           “(e) SUPPLEMENT NOT SUPPLANT.—Amounts made  
2 available to a poison control center under this section shall  
3 be used to supplement and not supplant other Federal,  
4 State, or local funds provided for such center.

5           “(f) MAINTENANCE OF EFFORT.—A poison control  
6 center, in utilizing the proceeds of a grant under this sec-  
7 tion, shall maintain the annual recurring expenditures of  
8 the center for its activities at a level that is not less than  
9 80 percent of the average level of such recurring expendi-  
10 tures maintained by the center for the preceding 3 fiscal  
11 years for which a grant is received.

12           “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
13 is authorized to be appropriated to carry out this section,  
14 \$28,600,000 for each of fiscal years 2019 through 2023.  
15 The Secretary may utilize an amount not to exceed 6 per-  
16 cent of the amount appropriated pursuant to the pre-  
17 ceding sentence for each fiscal year for coordination, dis-  
18 semination, technical assistance, program evaluation, data  
19 activities, and other program administration functions,  
20 which are determined by the Secretary to be appropriate  
21 for carrying out the program under this section.”.