

Union Calendar No.

116TH CONGRESS
2^D SESSION

H. R. 2468

[Report No. 116-]

To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2019

Mr. HOYER (for himself and Mr. DAVID P. ROE of Tennessee) introduced the following bill; which was referred to the Committee on Energy and Commerce

JULY --, 2020

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 2, 2019]

A BILL

To amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, 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 “School-Based Allergies*
5 *and Asthma Management Program Act”.*

6 **SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES**

7 **THAT REQUIRE CERTAIN PUBLIC SCHOOLS**
8 **TO HAVE ALLERGIES AND ASTHMA MANAGE-**
9 **MENT PROGRAMS.**

10 *Section 399L(d) of the Public Health Service Act (42*
11 *U.S.C. 280g(d)) is amended—*

12 *(1) in paragraph (1)(F)—*

13 *(A) by redesignating clauses (i), (ii), and*
14 *(iii) as subclauses (I), (II), and (III), respec-*
15 *tively, and moving each of such subclauses (as so*
16 *redesignated) 2 ems to the right;*

17 *(B) by striking “EPINEPHRINE.—In deter-*
18 *mining” and inserting “EPINEPHRINE OR*
19 *SCHOOL COMPREHENSIVE ALLERGIES AND ASTH-*
20 *MA MANAGEMENT PROGRAM.—*

21 *“(i) IN GENERAL.—In determining”;*

22 *(C) by striking “in the State—” and insert-*
23 *ing “in the State satisfy the criteria described in*
24 *clause (ii) or clause (iii).*

1 “(ii) *CRITERIA FOR SCHOOL PER-*
2 *SONNEL ADMINISTRATION OF EPINEPH-*
3 *RINE.—For purposes of clause (i), the cri-*
4 *teria described in this clause, with respect*
5 *to each public elementary school and sec-*
6 *ondary school in the State, are that each*
7 *such school—*”;
8 *and*

8 *(D) by adding at the end the following new*
9 *clause:*

10 “(iii) *CRITERIA FOR SCHOOL COM-*
11 *PREHENSIVE ALLERGIES AND ASTHMA MAN-*
12 *AGEMENT PROGRAM.—For purposes of*
13 *clause (i), the criteria described in this*
14 *clause, with respect to each public elemen-*
15 *tary school and secondary school in the*
16 *State, are that each such school—*

17 *“(I) has in place a plan for hav-*
18 *ing on the premises of the school dur-*
19 *ing all operating hours of the school a*
20 *school nurse or one or more other indi-*
21 *viduals who are designated by the*
22 *principal (or other appropriate admin-*
23 *istrative staff) of the school to direct*
24 *and apply the program described in*

1 *subclause (II) on a voluntary basis*
2 *outside their scope of employment; and*

3 *“(II) has in place, under the di-*
4 *rection of a school nurse or other indi-*
5 *vidual designated under subclause (I),*
6 *a comprehensive school-based allergies*
7 *and asthma management program that*
8 *includes—*

9 *“(aa) a method to identify*
10 *all students of such school with a*
11 *diagnosis of allergies and asthma;*

12 *“(bb) an individual student*
13 *allergies and asthma action plan*
14 *for each student of such school*
15 *with a diagnosis of allergies and*
16 *asthma;*

17 *“(cc) allergies and asthma*
18 *education for school staff who are*
19 *directly responsible for students*
20 *who have been identified as hav-*
21 *ing allergies or asthma, such as*
22 *education regarding basics, man-*
23 *agement, trigger management,*
24 *and comprehensive emergency re-*

1 *sponses with respect to allergies*
2 *and asthma;*

3 *“(dd) efforts to reduce the*
4 *presence of environmental triggers*
5 *of allergies and asthma; and*

6 *“(ee) a system to support*
7 *students with a diagnosis of aller-*
8 *gies or asthma through coordina-*
9 *tion with family members of such*
10 *students, primary care providers*
11 *of such students, primary asthma*
12 *or allergy care providers of such*
13 *students, and others as nec-*
14 *essary.”; and*

15 *(2) in paragraph (3)(E)—*

16 *(A) in the matter preceding clause (i), by*
17 *inserting “, such as the school nurse” after “in-*
18 *dividual”; and*

19 *(B) in clause (i), by inserting “school nurse*
20 *or” before “principal”.*