

February 14, 2017

TO: Members, Committee on Energy and Commerce

FROM: Committee Majority Staff

RE: Full Committee Markup

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## I. INTRODUCTION

The Committee on Energy and Commerce will meet in open markup session on Wednesday, February 14, 2018, at 3:30 p.m. in 2123 Rayburn House Office Building to consider the following:

- H.R. 1876, Good Samaritan Health Professionals Act of 2017;
- H.R. 3477, Ceiling Fan Energy Conservation Harmonization Act; and
- H.R. 4986, FCC Reauthorization Act of 2018.

In keeping with Chairman Walden's announced policy, Members must submit any amendments they may have two hours before they are offered during this markup. Members may submit amendments by email to [peter.kielty@mail.house.gov](mailto:peter.kielty@mail.house.gov). Any information with respect to an amendment's parliamentary standing (e.g., its germaneness) should be submitted at this time as well.

## II. EXPLANATION OF LEGISLATION

### A. H.R. 1876, Good Samaritan Health Professionals Act of 2017

On January 17, 2018, the Subcommittee on Health forwarded H.R. 1876, as amended, by voice vote. This legislation, introduced by Rep. Marsha Blackburn (R-TN), would shield a health care professional from liability for harm caused by any act or omission if: (1) the professional is serving as a volunteer in response to a disaster and (2) the act or omission occurs during the period of the disaster, in the professional's capacity as a volunteer, and in a good faith belief that the individual being treated is in need of health care services.

In 1997, Congress recognized that it was in interest of the Federal Government to encourage the contributions of volunteers through the passage of the Volunteer Protection Act (VPA, Public Law 105-19). The VPA provides civil liability protections to volunteers for acts of ordinary negligence that were committed while volunteering for a qualified nonprofit or

governmental organization.<sup>4</sup> The VPA protects those offering medical services in emergencies to the extent that it encourages medical providers to join nonprofits or government entities. However, health practitioners who volunteer on their own are not protected from liability under the VPA.

**B. H.R. 3477, Ceiling Fan Energy Conservation Harmonization Act**

Pursuant to the Energy and Policy Conservation Act of 1975 and succeeding legislation, the Department of Energy sets mandatory efficiency standards for a number of covered home appliances. This includes ceiling fans and ceiling fan lights, both of which have been subject to new standards. The compliance date for the latest ceiling fan light kit standard is January 7, 2019, and the compliance date for the ceiling fan standard is January 21, 2020. Having two different deadlines applicable to the same product potentially raises compliance costs for some manufacturers and may impact the retail price of some models.

**C. H.R. 4986, FCC Reauthorization Act of 2018**

H.R. 4986 was introduced by Rep. Blackburn (TN) on February 8, 2018. The legislation reauthorizes the Federal Communications Commission and establishes a number of process reforms aimed at improving agency efficiency and transparency. It also authorizes funding for broadcasters impacted by the Commission's broadcaster repacking process. Finally, the bill includes a section entitled "Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless" (MOBILE NOW) Act.

The Committee anticipates that an amendment in the nature of a substitute will be offered during the markup. The amendment and summary will be available prior to the markup.

**III. STAFF CONTACTS**

If you have any questions regarding this markup, please contact Karen Christian of the Committee staff at (202) 225-2927.

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<sup>4</sup> Health Resources and Services Administration. (2006). *Emergency System for Advance Registration of Volunteer Health Professionals (ESAR-VHP) - Legal and Regulatory Issues* (p. 44). Department of Health and Human Services. <http://www.publichealthlaw.net/Research/PDF/ESAR%20VHP%20Report.pdf>