

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5329  
OFFERED BY MRS. BROOKS OF INDIANA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Poison Center Network  
3 Enhancement Act of 2018”.

4 **SEC. 2. REAUTHORIZATION OF POISON CONTROL CENTERS**

5                   **NATIONAL TOLL-FREE NUMBER.**

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

8 **“SEC. 1271. ESTABLISHMENT AND MAINTENANCE OF THE**

9                   **NATIONAL TOLL-FREE NUMBER AND EN-**  
10                   **HANCED COMMUNICATIONS CAPABILITIES.**

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

13               “(1) the development, establishment, implemen-  
14 tation, and maintenance of a nationwide toll-free  
15 phone number; and

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

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

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

11       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
12 is authorized to be appropriated to carry out this section  
13 \$700,000 for each of fiscal years 2019 through 2023.”.

14 **SEC. 3. REAUTHORIZATION OF NATIONWIDE PUBLIC**  
15 **AWARENESS CAMPAIGN TO PROMOTE POI-**  
16 **SON CONTROL CENTER UTILIZATION.**

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

19 **“SEC. 1272. NATIONWIDE PUBLIC AWARENESS CAMPAIGN**  
20 **TO PROMOTE POISON CONTROL CENTER UTI-**  
21 **LIZATION AND THEIR PUBLIC HEALTH EMER-**  
22 **GENCY RESPONSE CAPABILITIES.**

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

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

4                   “(A) poisoning, toxic exposure, and drug  
5                   misuse prevention; and

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

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

11          “(b) CONSULTATION.—In carrying out and expand-  
12          ing upon the national campaign under subsection (a), the  
13          Secretary may consult with nationally recognized profes-  
14          sional organizations in the field of poison control response  
15          for the purpose of determining the best and most effective  
16          methods for achieving public awareness.

17          “(c) CONTRACT WITH ENTITY.—The Secretary may  
18          carry out subsection (a) by entering into contracts with  
19          one or more public or private entities, including nationally  
20          recognized professional organizations in the field of poison  
21          control and national media firms, for the development and  
22          implementation of the awareness campaign under sub-  
23          section (a), which may include—

24                   “(1) the development and distribution of poi-  
25                   soning and toxic exposure prevention, poison control

1 center, and public health emergency awareness and  
2 response materials;

3 “(2) television, radio, internet, and newspaper  
4 public service announcements; and

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

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

8 “(1) establish baseline measures and bench-  
9 marks to quantitatively evaluate the impact of the  
10 nationwide public awareness campaign carried out  
11 under this section; and

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

15 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
16 is authorized to be appropriated to carry out this section,  
17 \$800,000 for each of fiscal years 2019 through 2023.”.

18 **SEC. 4. REAUTHORIZATION OF THE POISON CONTROL CEN-**  
19 **TER GRANT PROGRAM.**

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

22 **“SEC. 1273. MAINTENANCE OF THE POISON CONTROL CEN-**  
23 **TER GRANT PROGRAM.**

24 “(a) AUTHORIZATION OF PROGRAM.—The Secretary  
25 shall award grants to poison control centers accredited

1 under subsection (c) (or granted a waiver under subsection  
2 (d)) and nationally recognized professional organizations  
3 in the field of poison control for the purposes of—

4 “(1) preventing, and providing treatment rec-  
5 ommendations for, poisonings and toxic exposures  
6 including opioid and drug misuse;

7 “(2) assisting with public health emergencies,  
8 responses, and preparedness; and

9 “(3) complying with the operational require-  
10 ments needed to sustain the accreditation of the cen-  
11 ter under subsection (c).

12 “(b) ADDITIONAL USES OF FUNDS.—In addition to  
13 the purposes described in subsection (a), a poison center  
14 or professional organization awarded a grant under such  
15 subsection may also use amounts received under such  
16 grant—

17 “(1) to research, establish, implement, and  
18 evaluate best practices in the United States for poi-  
19 soning prevention, poison control center outreach,  
20 opioid and drug misuse information and response,  
21 and public health emergency, response, and pre-  
22 paredness programs;

23 “(2) to research, develop, implement, revise,  
24 and communicate standard patient management

1 guidelines for commonly encountered toxic expo-  
2 sures;

3 “(3) to improve national toxic exposure and  
4 opioid misuse surveillance by enhancing cooperative  
5 activities between poison control centers in the  
6 United States and the Centers for Disease Control  
7 and Prevention and other governmental agencies;

8 “(4) to research, improve, and enhance the  
9 communications and response capability and capac-  
10 ity of the Nation’s network of poison control centers  
11 to facilitate increased access to the centers through  
12 the integration and modernization of the current  
13 poison control centers communications and data sys-  
14 tem, including enhancing the network’s telephony,  
15 internet, data, and social networking technologies;

16 “(5) to develop, support, and enhance tech-  
17 nology and capabilities of nationally recognized pro-  
18 fessional organizations in the field of poison control  
19 to collect national poisoning, toxic occurrence, and  
20 related public health data;

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

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

1           “(8) to improve the capacity of poison control  
2           centers to answer high volumes of contacts and  
3           internet communications, and to sustain and en-  
4           hance the poison control center’s network capability  
5           to respond during times of national crisis or other  
6           public health emergencies.

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

10           “(1) the center has been accredited by a nation-  
11           ally recognized professional organization in the field  
12           of poison control, and the Secretary has approved  
13           the organization as having in effect standards for  
14           accreditation that reasonably provide for the protec-  
15           tion of the public health with respect to poisoning;  
16           or

17           “(2) the center has been accredited by a State  
18           government, and the Secretary has approved the  
19           State government as having in effect standards for  
20           accreditation that reasonably provide for the protec-  
21           tion of the public health with respect to poisoning.

22           “(d) WAIVER OF ACCREDITATION REQUIREMENTS.—

23           “(1) IN GENERAL.—The Secretary may grant a  
24           waiver of the accreditation requirements of sub-  
25           section (c) with respect to a nonaccredited poison

1 control center that applies for a grant under this  
2 section if such center can reasonably demonstrate  
3 that the center will obtain such an accreditation  
4 within a reasonable period of time as determined ap-  
5 propriate by the Secretary.

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

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

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

17 “(f) MAINTENANCE OF EFFORT.—A poison control  
18 center, in utilizing the proceeds of a grant under this sec-  
19 tion, shall maintain the annual recurring expenditures of  
20 the center for its activities at a level that is not less than  
21 80 percent of the average level of such recurring expendi-  
22 tures maintained by the center for the preceding 3 fiscal  
23 years for which a grant is received.

24 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
25 is authorized to be appropriated to carry out this section,



1 \$28,600,000 for each of fiscal years 2019 through 2023.  
2 The Secretary may utilize an amount not to exceed 6 per-  
3 cent of the amount appropriated pursuant to the pre-  
4 ceding sentence for each fiscal year for coordination, dis-  
5 semination, technical assistance, program evaluation, data  
6 activities, and other program administration functions,  
7 which are determined by the Secretary to be appropriate  
8 for carrying out the program under this section.”.

