

115TH CONGRESS  
2D 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, and  
10 to nationally recognized professional organizations in the  
11 field of poison control for—

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

15 “(2) the enhancement of communications capa-  
16 bilities, such as text capabilities.

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

22 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
23 tion shall be construed to restrict the work of poison con-  
24 trol centers or the use of their resources by the Secretary  
25 or other governmental agencies in assisting with public  
26 health emergencies, responses, or preparedness.

1       “(d) **PROPER STANDARDS FOR THE ROUTING OF**  
2 **POISON CONTROL CENTER CONTACTS.**—Not later than  
3 60 days after the date of the enactment of the Poison Cen-  
4 ter Network Enhancement Act of 2018, the Federal Com-  
5 munications Commission, in consultation with the Sec-  
6 retary, shall take all actions necessary to ensure that con-  
7 tacts with the nationwide toll-free number supported  
8 under subsection (a)(1) are routed to the geographically  
9 proper poison control center based on the physical location  
10 of the person attempting to reach the poison control cen-  
11 ter, rather than based on the area code of the contact de-  
12 vice.

13       “(e) **AUTHORIZATION OF APPROPRIATIONS.**—There  
14 is authorized to be appropriated to carry out this section  
15 \$700,000 for each of fiscal years 2020 through 2024.”.

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

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

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

25       “(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 and toxic exposure preven-  
5           tion;

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

8                   “(C) poison control center drug informa-  
9           tion and misuse intervention; and

10                   “(D) poison control center public health  
11           emergency response capabilities; and

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

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

21           “(c) CONTRACT WITH ENTITY.—The Secretary may  
22           carry out subsection (a) by entering into contracts with  
23           one or more public or private entities, including nationally  
24           recognized professional organizations in the field of poison  
25           control and national media firms, for the development and

1 implementation of the awareness campaign under sub-  
2 section (a), which may include—

3 “(1) the development and distribution of poi-  
4 soning and toxic exposure prevention, poison control  
5 center, and public health emergency awareness and  
6 response materials;

7 “(2) television, radio, internet, and newspaper  
8 public service announcements; and

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

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

12 “(1) establish baseline measures and bench-  
13 marks to quantitatively evaluate the impact of the  
14 nationwide public awareness campaign carried out  
15 under this section; and

16 “(2) on an annual basis, prepare and submit to  
17 the appropriate committees of Congress an evalua-  
18 tion of the nationwide public awareness campaign.

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
20 is authorized to be appropriated to carry out this section,  
21 \$800,000 for each of fiscal years 2020 through 2024.”.

1 **SEC. 4. REAUTHORIZATION OF THE POISON CONTROL CEN-**  
2 **TER GRANT PROGRAM.**

3 (a) IN GENERAL.—Section 1273 of the Public Health  
4 Service Act (42 U.S.C. 300d–73) is amended to read as  
5 follows:

6 **“SEC. 1273. MAINTENANCE OF THE POISON CONTROL CEN-**  
7 **TER GRANT PROGRAM.**

8 “(a) AUTHORIZATION OF PROGRAM.—The Secretary  
9 shall award grants to poison control centers accredited  
10 under subsection (c) (or granted a waiver under subsection  
11 (d)) and nationally recognized professional organizations  
12 in the field of poison control for the purposes of—

13 “(1) preventing, and providing treatment rec-  
14 ommendations for, poisonings and toxic exposures  
15 including opioid and drug misuse;

16 “(2) assisting with public health emergencies,  
17 responses, and preparedness; and

18 “(3) complying with the operational require-  
19 ments needed to sustain the accreditation of the cen-  
20 ter under subsection (c).

21 “(b) ADDITIONAL USES OF FUNDS.—In addition to  
22 the purposes described in subsection (a), a poison center  
23 or professional organization awarded a grant under such  
24 subsection may also use amounts received under such  
25 grant—

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

7           “(2) to research, develop, implement, revise,  
8           and communicate standard patient management  
9           guidelines for commonly encountered toxic expo-  
10          sures;

11          “(3) to improve national toxic exposure and  
12          opioid misuse surveillance by enhancing cooperative  
13          activities between poison control centers in the  
14          United States and the Centers for Disease Control  
15          and Prevention and other governmental agencies;

16          “(4) to research, improve, and enhance the  
17          communications and response capability and capac-  
18          ity of the Nation’s network of poison control centers  
19          to facilitate increased access to the centers through  
20          the integration and modernization of the current  
21          poison control centers communications and data sys-  
22          tem, including enhancing the network’s telephony,  
23          internet, data, and social networking technologies;

24          “(5) to develop, support, and enhance tech-  
25          nology and capabilities of nationally recognized pro-

1 professional organizations in the field of poison control  
2 to collect national poisoning, toxic occurrence, and  
3 related public health data;

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

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

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

15 “(c) ACCREDITATION.—

16 “(1) IN GENERAL.—Except as provided in sub-  
17 section (d), the Secretary may award a grant to a  
18 poison control center under subsection (a) only if—

19 “(A) the center has been accredited by a  
20 nationally recognized professional organization  
21 in the field of poison control, and the Secretary  
22 has approved the organization as having in ef-  
23 fect standards for accreditation that reasonably  
24 provide for—

1 “(i) the protection of the public health  
2 with respect to poisoning; and

3 “(ii) the maintenance of the related  
4 capabilities listed in subsection (a); or

5 “(B) the center has been accredited by a  
6 State government, and the Secretary has ap-  
7 proved the State government as having in effect  
8 standards for accreditation that reasonably pro-  
9 vide for—

10 “(i) the protection of the public health  
11 with respect to poisoning; and

12 “(ii) the maintenance of the related  
13 capabilities listed in subsection (a).

14 “(2) ANNUAL REPORT TO CONGRESS.—The  
15 Secretary shall annually submit a report to Congress  
16 that certifies that the accreditation standards de-  
17 scribed in subparagraphs (A) and (B) of paragraph  
18 (1)—

19 “(A) are consistent in their content; and

20 “(B) provide for the protection of the pub-  
21 lic health with respect to poisoning and the  
22 maintenance of the related capabilities listed in  
23 subsection (a).

24 “(d) WAIVER OF ACCREDITATION REQUIREMENTS.—

1           “(1) IN GENERAL.—The Secretary may grant a  
2           waiver of the accreditation requirements of sub-  
3           section (c) with respect to a nonaccredited poison  
4           control center that applies for a grant under this  
5           section if such center can reasonably demonstrate  
6           that the center will obtain such an accreditation  
7           within a reasonable period of time as determined ap-  
8           propriate by the Secretary.

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

11          “(3) LIMITATION.—In no case may the sum of  
12          the number of years for a waiver under paragraph  
13          (1) and a renewal under paragraph (2) exceed 5  
14          years.

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

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

1       “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to carry out this section,  
3 \$29,600,000 for each of fiscal years 2020 through 2024.  
4 The Secretary may utilize an amount not to exceed 6 per-  
5 cent of the amount appropriated pursuant to the pre-  
6 ceding sentence for each fiscal year for coordination, dis-  
7 semination, technical assistance, program evaluation, data  
8 activities, and other program administration functions,  
9 which are determined by the Secretary to be appropriate  
10 for carrying out the program under this section.”.

11       (b) APPLICABILITY.—Section 1273 of the Public  
12 Health Service Act, as amended by subsection (a), applies  
13 beginning on October 1, 2019.

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