

Union Calendar No. 378

111TH CONGRESS
2^D SESSION

H. R. 1210

[Report No. 111-638]

To amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2009

Ms. ESHOO (for herself, Mr. UPTON, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Ms. BORDALLO, Mr. LANGEVIN, Mr. KLEIN of Florida, Mr. McDERMOTT, Mr. WU, Mr. BURTON of Indiana, Mr. KING of New York, Ms. BALDWIN, Mr. SARBANES, Mr. BISHOP of Georgia, Mr. YARMUTH, Mr. KENNEDY, Mr. RUSH, Mrs. CAPPS, Ms. HARMAN, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. BISHOP of New York, Mr. SENSENBRENNER, Mr. MURTHA, Mr. BERMAN, Mr. FRELINGHUYSEN, Mr. ISRAEL, Mr. MATHESON, Mr. SESSIONS, Mrs. EMERSON, Mr. PASCARELL, Ms. NORTON, Ms. MATSUI, Mr. TERRY, Mr. McHUGH, Mr. GENE GREEN of Texas, Mr. HOLT, Ms. CASTOR of Florida, Mr. RAHALL, Mr. BOUCHER, Mr. NEAL of Massachusetts, Mr. FRANK of Massachusetts, Ms. DELAURO, Mr. SESTAK, Mr. MOORE of Kansas, Mrs. SCHMIDT, Ms. BERKLEY, and Mr. MORAN of Kansas) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 28, 2010

Additional sponsors: Mr. TAYLOR, Mr. MCGOVERN, Mr. LARSON of Connecticut, Mr. JACKSON of Illinois, Mr. HOEKSTRA, Mr. WEXLER, Ms. SUTTON, Mr. MICHAUD, Mr. GORDON of Tennessee, Mr. MARKEY of Massachusetts, Mr. PETRI, Mr. GONZALEZ, Mr. FARR, Mrs. LOWEY, Mr. BACA, Mr. DRIEHAUS, Mr. GERLACH, Mr. BARTLETT, Mr. HOLDEN, Mr. DEFazio, Mrs. BONO MACK, Mr. WAXMAN, Mr. LOBIONDO, Mr. SMITH of New Jersey, Mrs. MALONEY, Mr. HINOJOSA, Mr. LATHAM, Ms. SHEAPORTER, Mr. ACKERMAN, Mr. GRAVES of Missouri, Ms. KAPTUR, Mr. BACHUS, Mr. PLATTS, Mr. BURGESS, Mr. TIBERI, Mr. WOLF, Ms. SPEIER, Mr. ALTMIRE, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Ms. TITUS, Mr. PAYNE, Mr. ABERCROMBIE, Ms. WATSON, Mr.

TIERNEY, Mr. CONNOLLY of Virginia, Mr. OBERSTAR, Mr. WITTMAN, Mr. SCHIFF, Ms. SCHWARTZ, Ms. WATERS, Mr. LEWIS of Georgia, Mr. SPACE, Mr. TIM MURPHY of Pennsylvania, Mr. DAVIS of Alabama, Mr. ROGERS of Alabama, Mr. BARROW, Mr. WELCH, Mr. GRIJALVA, Mr. BRALEY of Iowa, Ms. LEE of California, Mr. REICHERT, Mr. CUMMINGS, Mr. RYAN of Ohio, Mr. CARNEY, Mr. COURTNEY, Mr. CALVERT, Ms. VELÁZQUEZ, Ms. HERSETH SANDLIN, Mr. PASTOR of Arizona, Mr. MCNERNEY, Mr. HARPER, Mr. MITCHELL, Mr. MILLER of North Carolina, Mrs. TAUSCHER, Ms. ZOE LOFGREN of California, Mr. PETERSON, Ms. WOOLSEY, Mr. THOMPSON of California, Mr. KILDEE, Mr. CARNAHAN, Mr. ELLSWORTH, Mr. PRICE of North Carolina, Mr. BONNER, Mr. WALZ, Mr. HONDA, Mr. McCOTTER, Mr. CHILDERS, Mr. LUETKEMEYER, Mr. DENT, Mr. DOYLE, Mr. ROTHMAN of New Jersey, Ms. KILROY, Mr. LATOURETTE, Mr. ADERHOLT, Ms. ROYBAL-ALLARD, Ms. SLAUGHTER, Mr. GOODLATTE, Mr. COHEN, Mr. EHLERS, Ms. MCCOLLUM, Mr. LARSEN of Washington, Mr. SCOTT of Virginia, Mr. CHANDLER, Mrs. MCMORRIS RODGERS, Ms. CHU, Mr. DONNELLY of Indiana, Mr. SNYDER, Mr. ROSS, Mr. STARK, Mr. GARRETT of New Jersey, Mr. JONES, Mr. MCCARTHY of California, Mr. WAMP, Mr. CARSON of Indiana, Mr. CONYERS, Mr. TIAHRT, Mr. INSLEE, Mr. CAPUANO, Mr. KISSELL, Mr. ARCURI, Ms. PINGREE of Maine, Mr. YOUNG of Florida, Mrs. NAPOLITANO, Ms. LINDA T. SÁNCHEZ of California, Ms. FUDGE, Mrs. BLACKBURN, Mr. KAGEN, Mr. RYAN of Wisconsin, Mr. GRIFFITH, Mr. MARSHALL, and Ms. EDDIE BERNICE JOHNSON of Texas

SEPTEMBER 28, 2010

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 *italic*]

[For text of introduced bill, see copy of bill as introduced on February 26, 2009]

A BILL

To amend the Public Health Service Act to provide for arthritis research and public health, 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 “Arthritis Prevention,*
5 *Control, and Cure Act of 2010”.*

6 **SEC. 2. ENHANCING PUBLIC HEALTH ACTIVITIES RELATED**
7 **TO ARTHRITIS THROUGH THE NATIONAL AR-**
8 **THRITIS ACTION PLAN.**

9 *Part B of title III of the Public Health Service Act*
10 *(42 U.S.C. 243 et seq.) is amended by inserting after section*
11 *314 the following:*

12 **“SEC. 315. NATIONAL ARTHRITIS ACTION PLAN.**

13 *“(a) ESTABLISHMENT OF PLAN.—The Secretary may*
14 *develop and implement a National Arthritis Action Plan*
15 *(in this section referred to as the ‘Plan’) consistent with*
16 *this section.*

17 *“(b) CONTROL, PREVENTION, AND SURVEILLANCE.—*

18 *“(1) IN GENERAL.—Under the Plan, the Sec-*
19 *retary may, directly or through competitive grants to*
20 *eligible entities, conduct, support, and promote the co-*
21 *ordination of research, investigations, demonstrations,*
22 *training, and studies relating to the control, preven-*
23 *tion, and surveillance of arthritis and other rheu-*
24 *matic diseases.*

25 *“(2) TRAINING AND TECHNICAL ASSISTANCE.—*

1 “(A) *PROVISION.*—Upon the request of an
2 applicant receiving a grant under paragraph
3 (1), the Secretary may, subject to subparagraph
4 (B), provide training, technical assistance, sup-
5 plies, equipment, or services for the purpose of
6 aiding the applicant in carrying out grant ac-
7 tivities and, for such purpose, may detail to the
8 applicant any officer or employee of the Depart-
9 ment of Health and Human Services.

10 “(B) *CORRESPONDING REDUCTION IN PAY-*
11 *MENTS.*—With respect to a request described in
12 subparagraph (A), the Secretary shall reduce the
13 amount of payments under the grant under
14 paragraph (1) to the applicant involved by an
15 amount equal to the costs of detailing personnel
16 (including pay, allowances, and travel expenses)
17 and the fair market value of any supplies, equip-
18 ment, or services provided by the Secretary.

19 “(3) *ARTHRITIS PREVENTION RESEARCH AT THE*
20 *CENTERS FOR DISEASE CONTROL AND PREVENTION.*—
21 The Secretary may provide additional grant support
22 under this subsection to encourage the expansion of
23 research related to the prevention and management of
24 arthritis at the Centers for Disease Control and Pre-
25 vention.

1 “(4) *ELIGIBLE ENTITY.*—For purposes of this
2 subsection, the term ‘eligible entity’ means a public or
3 private nonprofit entity that demonstrates to the sat-
4 isfaction of the Secretary, in the application described
5 in subsection (e), the ability of the entity to carry out
6 the activities described in paragraph (1).

7 “(c) *EDUCATION AND OUTREACH.*—

8 “(1) *IN GENERAL.*—Under the Plan, the Sec-
9 retary may coordinate and carry out national edu-
10 cation and outreach activities, directly or through the
11 provision of grants to eligible entities, to support, de-
12 velop, and implement education initiatives and out-
13 reach strategies appropriate for arthritis and other
14 rheumatic diseases.

15 “(2) *INITIATIVES AND STRATEGIES.*—Initiatives
16 and strategies implemented under paragraph (1) may
17 include public awareness campaigns, public service
18 announcements, and community partnership work-
19 shops, as well as programs targeted to businesses and
20 employers, managed care organizations, and health
21 care providers.

22 “(3) *PRIORITY.*—In carrying out paragraph (1),
23 the Secretary—

24 “(A) may emphasize prevention, early diag-
25 nosis, and appropriate management of arthritis,

1 *and opportunities for effective patient self-man-*
2 *agement; and*

3 *“(B) may give priority to reaching high-*
4 *risk or underserved populations.*

5 *“(4) COLLABORATION.—In carrying out this sub-*
6 *section, the Secretary shall consult and collaborate*
7 *with stakeholders from the public, private, and non-*
8 *profit sectors with expertise relating to arthritis con-*
9 *trol, prevention, and treatment.*

10 *“(5) ELIGIBLE ENTITY.—For purposes of this*
11 *subsection, the term ‘eligible entity’ means a public or*
12 *private nonprofit entity that demonstrates to the sat-*
13 *isfaction of the Secretary, in the application described*
14 *in subsection (e), the ability of the entity to carry out*
15 *the activities described in paragraph (1).*

16 *“(d) COMPREHENSIVE STATE GRANTS.—*

17 *“(1) IN GENERAL.—Under the Plan, the Sec-*
18 *retary may award grants to eligible entities to pro-*
19 *vide support for comprehensive arthritis control and*
20 *prevention programs and to enable such entities to*
21 *provide public health surveillance, prevention, and*
22 *control activities related to arthritis and other rheu-*
23 *matic diseases.*

24 *“(2) APPLICATION.—The Secretary may only*
25 *award a grant under this subsection to an eligible en-*

1 *tity that submits to the Secretary an application at*
2 *such time, in such manner, and containing such*
3 *agreements, assurances, and information as the Sec-*
4 *retary may require, including a comprehensive ar-*
5 *thritis control and prevention plan that—*

6 *“(A) is developed with the advice of stake-*
7 *holders from the public, private, and nonprofit*
8 *sectors that have expertise relating to arthritis*
9 *control, prevention, and treatment that increase*
10 *the quality of life and decrease the level of dis-*
11 *ability;*

12 *“(B) is intended to reduce the morbidity of*
13 *arthritis, with priority on preventing and con-*
14 *trolling arthritis in at-risk populations and re-*
15 *ducing disparities in arthritis prevention, diag-*
16 *nosis, management, and quality of care in un-*
17 *derserved populations;*

18 *“(C) describes the arthritis-related services*
19 *and activities to be undertaken or supported by*
20 *the entity; and*

21 *“(D) demonstrates the relationship the enti-*
22 *ty has with the community and local entities*
23 *and how the entity plans to involve such commu-*
24 *nity and local entities in carrying out the activi-*
25 *ties described in paragraph (1).*

1 “(3) *USE OF FUNDS.*—*An eligible entity may use*
2 *amounts received under a grant awarded under this*
3 *subsection to conduct, in a manner consistent with*
4 *the comprehensive arthritis control and prevention*
5 *plan submitted by the entity in the application under*
6 *paragraph (2)*—

7 “(A) *public health surveillance and epide-*
8 *miological activities relating to the prevalence of*
9 *arthritis and assessment of disparities in arthri-*
10 *tis prevention, diagnosis, management, and care;*

11 “(B) *public information and education pro-*
12 *grams; and*

13 “(C) *education, training, and clinical skills*
14 *improvement activities for health professionals,*
15 *including allied health personnel.*

16 “(4) *ELIGIBLE ENTITY.*—*For purposes of this*
17 *subsection, the term ‘eligible entity’ means a State or*
18 *an Indian tribe.*

19 “(e) *GENERAL APPLICATION.*—*The Secretary may*
20 *only award a grant under subsection (b) or (c) to an entity*
21 *that submits to the Secretary an application at such time,*
22 *in such manner, and containing such agreements, assur-*
23 *ances, and information as the Secretary may require, in-*
24 *cluding a description of how funds received under a grant*
25 *awarded under such subsection will supplement or fulfill*

1 *unmet needs identified in a comprehensive arthritis control*
 2 *and prevention plan of the entity.*

3 “(f) *DEFINITIONS.—For purposes of this section:*

4 “(1) *INDIAN TRIBE.—The term ‘Indian tribe’ has*
 5 *the meaning given such term in section 4(e) of the In-*
 6 *Indian Self-Determination and Education Assistance*
 7 *Act.*

8 “(2) *STATE.—The term ‘State’ means any of the*
 9 *50 States, the District of Columbia, the Common-*
 10 *wealth of Puerto Rico, the Virgin Islands, American*
 11 *Samoa, Guam, and the Northern Mariana Islands.*

12 “(g) *AUTHORIZATION OF APPROPRIATIONS.—There*
 13 *are authorized to be appropriated to carry out this sec-*
 14 *tion—*

15 “(1) *for fiscal year 2012, \$14,600,000;*

16 “(2) *for fiscal year 2013, \$16,000,000;*

17 “(3) *for fiscal year 2014, \$17,700,000;*

18 “(4) *for fiscal year 2015, \$19,400,000; and*

19 “(5) *for fiscal year 2016, \$21,400,000.”*

20 ***SEC. 3. ACTIVITIES OF THE DEPARTMENT OF HEALTH AND***
 21 ***HUMAN SERVICES WITH RESPECT TO JUVE-***
 22 ***NILE ARTHRITIS AND RELATED CONDITIONS.***

23 *Part B of title IV of the Public Health Service Act*
 24 *(42 U.S.C. 284 et seq.) is amended by adding at the end*
 25 *the following:*

1 **“SEC. 409K. JUVENILE ARTHRITIS AND RELATED CONDI-**
2 **TIONS.**

3 *“(a) IN GENERAL.—The Secretary, in coordination*
4 *with the Director of NIH, may expand and intensify pro-*
5 *grams of the National Institutes of Health with respect to*
6 *research and related activities designed to improve the out-*
7 *comes and quality of life for children with arthritis and*
8 *other rheumatic diseases.*

9 *“(b) COORDINATION.—The Director of NIH may co-*
10 *ordinate the programs referred to in subsection (a) and con-*
11 *sult with additional Federal officials, voluntary health asso-*
12 *ciations, medical professional societies, and private entities,*
13 *as appropriate.”.*

14 **SEC. 4. INVESTMENT IN TOMORROW’S PEDIATRIC**
15 **RHEUMATOLOGISTS.**

16 *Subpart I of part C of title VII of the Public Health*
17 *Service Act (42 U.S.C. 293k et seq.) is amended by adding*
18 *at the end the following:*

19 **“SEC. 749A-1. PEDIATRIC RHEUMATOLOGISTS.**

20 *“In order to ensure an adequate future supply of pedi-*
21 *atric rheumatologists, the Secretary, in consultation with*
22 *the Administrator of the Health Resources and Services Ad-*
23 *ministration, may award institutional training grants to*
24 *institutions to support pediatric rheumatology training.”.*

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