

111TH CONGRESS  
1ST SESSION

# H. R. 3426

To amend the Public Health Service Act to establish a Coordinated  
Environmental Public Health Network.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2009

Ms. PELOSI (for herself, Ms. SLAUGHTER, Mr. MARKEY of Massachusetts, Mrs. CAPPS, Ms. SCHAKOWSKY, Ms. BALDWIN, Ms. DELAURO, Ms. MCCOLLUM, Mr. SERRANO, Mr. GRIJALVA, and Mr. HARE) 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 establish a  
Coordinated Environmental Public Health Network.

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 “Coordinated Environ-  
5 mental Public Health Network Act of 2009”.

6 **SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE**

7 **ACT.**

8 The Public Health Service Act (42 U.S.C. 201 et  
9 seq.) is amended by adding at the end the following:

1 **“TITLE XXXI—COORDINATED EN-**  
2 **VIRONMENTAL PUBLIC**  
3 **HEALTH NETWORK**

4 **“SEC. 3100. DEFINITIONS.**

5 “In this title:

6 “(1) ADMINISTRATOR.—The term ‘Adminis-  
7 trator’ means the Administrator of the Environ-  
8 mental Protection Agency.

9 “(2) COORDINATED NETWORK.—The term ‘Co-  
10 ordinated Network’ means the Coordinated Environ-  
11 mental Public Health Network established under  
12 section 3101(a).

13 “(3) DIRECTOR.—The term ‘Director’ means  
14 the Director of the Centers for Disease Control and  
15 Prevention.

16 “(4) DIRECTOR OF THE CENTER.—The term  
17 ‘Director of the Center’ means the Director of the  
18 National Center for Environmental Health at the  
19 Centers for Disease Control and Prevention.

20 “(5) MEDICAL PRIVACY REGULATIONS.—The  
21 term ‘medical privacy regulations’ means the regula-  
22 tions promulgated under section 264(c) of the  
23 Health Insurance Portability and Accountability Act  
24 of 1996.

1           “(6) PRIORITY CHRONIC CONDITIONS AND  
2 HEALTH EFFECTS.—The term ‘priority chronic con-  
3 ditions and health effects’ means the conditions, as  
4 specified by the Secretary, to be tracked in the Co-  
5 ordinated Network and the State Networks.

6           “(7) STATE NETWORK.—The term ‘State Net-  
7 work’ means a State Environmental Public Health  
8 Network established under section 3101(b).

9           “(8) STATE.—The term ‘State’ means a State,  
10 local government, territory, or Indian tribe that is  
11 eligible to receive a health tracking grant under sec-  
12 tion 3101(b).

13 **“SEC. 3101. ESTABLISHMENT OF COORDINATED AND STATE**  
14 **ENVIRONMENTAL PUBLIC HEALTH NET-**  
15 **WORKS.**

16           “(a) COORDINATED ENVIRONMENTAL PUBLIC  
17 HEALTH NETWORK.—

18           “(1) ESTABLISHMENT.—Not later than 36  
19 months after the date of the enactment of this title,  
20 the Secretary, acting through the Director, in con-  
21 sultation with the Administrator and the Director of  
22 the Center, and with the involvement of other Fed-  
23 eral agencies, and State and local health depart-  
24 ments, shall establish and operate a Coordinated  
25 Environmental Public Health Network. In estab-

1 lishing and operating the Coordinated Network, the  
2 Secretary shall, as practicable—

3 “(A) identify, build upon, expand, and co-  
4 ordinate among existing data and surveillance  
5 systems, surveys, registries, and other Federal  
6 public health and environmental infrastructure  
7 as practicable, including—

8 “(i) the Public Health Information  
9 Network;

10 “(ii) State birth defects surveillance  
11 systems as supported under section 317C;

12 “(iii) State cancer registries as sup-  
13 ported under part M of title III;

14 “(iv) State asthma surveillance sys-  
15 tems as supported under section 317I;

16 “(v) the National Health and Nutri-  
17 tion Examination Survey;

18 “(vi) the Behavioral Risk Factor Sur-  
19 veillance System;

20 “(vii) the Hazardous Substance Re-  
21 lease/Health Effects Database;

22 “(viii) the Hazardous Substances  
23 Emergency Events Surveillance System;

24 and

1                   “(ix) the State vital statistics systems  
2                   as supported under section 306;

3                   “(B) provide for public access to an elec-  
4                   tronic national database that accepts data from  
5                   the State Networks on the incidence and preva-  
6                   lence of priority chronic conditions and health  
7                   effects and relevant environmental and other  
8                   factors, in a manner which protects personal  
9                   privacy consistent with the medical privacy reg-  
10                  ulations;

11                  “(C) in order to allow the public to access  
12                  and understand information about environ-  
13                  mental health at the Federal, State, and, where  
14                  practicable, local level, prepare, publish, make  
15                  publicly available on the Web sites of the Cen-  
16                  ters for Disease Control and Prevention and the  
17                  Environmental Protection Agency, and submit  
18                  to Congress not later than 2 years after the  
19                  date of the enactment of this title, and bienni-  
20                  ally thereafter, a Coordinated Network Health  
21                  and Environment Report, including—

22                  “(i) identification of gaps in the data  
23                  of the Network, including diseases of con-  
24                  cern and environmental exposures not  
25                  tracked;

1           “(ii) identification of activities carried  
2           out under this title and key milestones  
3           achieved during the preceding year; and

4           “(iii) an analysis of the most cur-  
5           rently available incidence, prevalence, and  
6           trends of priority chronic conditions and  
7           health effects, and potentially relevant en-  
8           vironmental and other factors, by State  
9           and, as practicable by local areas, and rec-  
10          ommendations regarding high risk popu-  
11          lations, public health concerns, response  
12          and prevention strategies, and additional  
13          tracking needs;

14          “(D) provide for the establishment of State  
15          Networks, and coordinate the State Networks  
16          as provided for under subsection (b);

17          “(E) provide technical assistance to sup-  
18          port the State Networks;

19          “(F) not later than 12 months after the  
20          date of the enactment of this title, develop min-  
21          imum standards and procedures for data collec-  
22          tion and reporting for the State Networks, to  
23          be updated not less than annually thereafter;  
24          and

1           “(G) in developing the minimum standards  
2           and procedures under subparagraph (F), in-  
3           clude mechanisms for allowing the States to set  
4           priorities, and allocate resources accordingly.

5           “(2) DATA COLLECTION AND REPORTING BY  
6           STATE NETWORKS.—The minimum standards and  
7           procedures referred to in paragraph (1)(F) shall in-  
8           clude—

9           “(A) a list and definitions of the priority  
10          chronic conditions and health effects to be  
11          tracked through the State Networks;

12          “(B) a list and definitions of relevant envi-  
13          ronmental exposures of concern to be tracked,  
14          to the extent practicable, through the State  
15          Networks, including—

16                  “(i) hazardous air pollutants (as de-  
17                  fined in section 302(g) of the Clean Air  
18                  Act);

19                  “(ii) air pollutants for which national  
20                  primary ambient air quality standards  
21                  have been promulgated under section 109  
22                  of the Clean Air Act;

23                  “(iii) pollutants or contaminants (as  
24                  defined in section 101 of the Comprehen-

1           sive Environmental Response, Compensa-  
2           tion, and Liability Act of 1980);

3           “(iv) toxic chemicals (as described in  
4           section 313 of the Emergency Planning  
5           and Community Right-to-Know Act of  
6           1986);

7           “(v) substances reported under the  
8           Toxic Substances Control Act Inventory  
9           Update Rule as provided for in part 710 of  
10          title 40, Code of Federal Regulations, or  
11          successor regulations;

12          “(vi) pesticides (as defined in section  
13          2(u) of the Federal Insecticide, Fungicide,  
14          and Rodenticide Act); and

15          “(vii) such other potentially relevant  
16          environmental factors as the Secretary  
17          may specify;

18          “(C) a list and definitions of potentially  
19          relevant behavioral, socioeconomic, and demo-  
20          graphic factors known to be associated with  
21          these priority chronic conditions and health ef-  
22          fects and other risk factors, such as race, ethnic  
23          status, gender, age, occupation, and primary  
24          language, to be tracked through the State Net-  
25          works;



1           “(D) procedures for the complete and  
2 timely collection and reporting of data to the  
3 Coordinated Network by local areas, such as a  
4 census tract or other political subdivision deter-  
5 mined appropriate by the Secretary, in con-  
6 sultation with the Administrator, regarding the  
7 factors described in subparagraphs (A), (B),  
8 and (C);

9           “(E) procedures for making data available  
10 to the public and researchers, and for reporting  
11 to the Coordinated Network, while protecting  
12 the confidentiality of all personal data reported,  
13 in accordance with medical privacy regulations;  
14 and

15           “(F) standards and procedures for the es-  
16 tablishment, operation, and maintenance of lab-  
17 oratories conducting biomonitoring, in order to  
18 expand the scope and amount of biomonitoring  
19 data collected by the Centers for Disease Con-  
20 trol and Prevention as described in section  
21 3104.

22           “(b) STATE ENVIRONMENTAL PUBLIC HEALTH NET-  
23 WORKS.—

24           “(1) GRANTS.—Not later than 12 months after  
25 the date of the enactment of this title, the Secretary,

1 acting through the Director, in consultation with the  
2 Administrator and the Director of the Center shall  
3 award grants to States for the establishment, main-  
4 tenance, and operation of State Networks in accord-  
5 ance with the minimum standards and procedures  
6 established by the Secretary under subsection  
7 (a)(1)(F).

8 “(2) SPECIALIZED ASSISTANCE.—The Coordi-  
9 nated Network shall provide specialized assistance to  
10 grantees in the establishment, maintenance, and op-  
11 eration of State Networks.

12 “(3) REQUIREMENTS.—A State receiving a  
13 grant under this subsection shall use the grant—

14 “(A) to establish an environmental public  
15 health network that will provide—

16 “(i) for the tracking of the incidence,  
17 prevalence, and trends of priority chronic  
18 conditions and health effects, as well as  
19 any additional priority chronic conditions  
20 and health effects and potentially related  
21 environmental exposures of concern to that  
22 State;

23 “(ii) for identification of priority  
24 chronic conditions and health effects and  
25 potentially relevant environmental and

1 other factors that disproportionately im-  
2 pact low income and minority communities;

3 “(iii) for the protection of the con-  
4 fidentiality of all personal data reported, in  
5 accordance with the medical privacy regu-  
6 lations;

7 “(iv) a means by which confidential  
8 data may, in accordance with Federal and  
9 State law, be disclosed to researchers for  
10 the purposes of public health research;

11 “(v) the fullest possible public access  
12 to data collected by the State Network or  
13 through the Coordinated Network, while  
14 ensuring that individual privacy is pro-  
15 tected in accordance with subsection  
16 (a)(1)(B); and

17 “(vi) for the collection of exposure  
18 data through biomonitoring and other  
19 methods, which may include the entering  
20 into of cooperative agreements as described  
21 in section 3104;

22 “(B) to develop a publicly available plan  
23 for establishing the State Network in order to  
24 meet minimum standards and procedures as de-

1           veloped by the Secretary under subsection  
2           (a)(1)(F);

3           “(C) to appoint a lead public health de-  
4           partment or agency that will be responsible for  
5           the development, operation, and maintenance of  
6           the State Network, and ensure the appropriate  
7           coordination among State and local agencies,  
8           including environmental agencies, regarding the  
9           development, operation, and maintenance of the  
10          State Network; and

11          “(D) to recruit and train public health of-  
12          ficials to continue to expand the State Network.

13          “(4) LIMITATION.—A State that receives a  
14          grant under this section may not use more than 10  
15          percent of the funds made available through the  
16          grant for administrative costs.

17          “(5) APPLICATION.—To seek a grant under this  
18          section, a State shall submit to the Secretary an ap-  
19          plication at such time, in such form and manner,  
20          and accompanied by such information as the Sec-  
21          retary may specify.

22          “(c) PILOT PROJECTS.—

23          “(1) IN GENERAL.—A State may apply for a  
24          grant under this subsection to implement a pilot  
25          project that is approved by the Secretary, acting

1 through the Director and in consultation with the  
2 Administrator, and the Director of the Center.

3 “(2) ACTIVITIES.—A State shall use amounts  
4 received under a grant under this subsection to  
5 carry out a pilot project designed to develop State  
6 Network enhancements and to develop programs to  
7 address specific local and regional concerns.

8 “(3) RESULTS.—The Secretary may consider  
9 the results of the pilot projects under this subsection  
10 for inclusion into the Coordinated Network.

11 “(d) PRIVACY.—In establishing and operating the  
12 Coordinated Network under subsection (a), and in making  
13 grants under subsections (b) and (c), the Secretary shall  
14 ensure the protection of privacy of individually identifiable  
15 health information, including ensuring protection con-  
16 sistent with the regulations promulgated under section  
17 264(e) of the Health Insurance Portability and Account-  
18 ability Act of 1996.

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated to carry out this section  
21 such sums as may be necessary for each of fiscal years  
22 2010 through 2014.

1 **“SEC. 3102. INCREASING PUBLIC HEALTH PERSONNEL CA-**  
2 **PACITY.**

3 “(a) IN GENERAL.—Beginning in fiscal year 2010,  
4 the Secretary, acting through the Director, shall enter into  
5 a cooperative agreement with the Council of State and  
6 Territorial Epidemiologists to train and place, in State  
7 and local health departments, applied epidemiology fellows  
8 to enhance State and local public health capacity in the  
9 areas of environmental health, chronic and other noninfec-  
10 tious diseases and conditions, and public health surveil-  
11 lance.

12 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
13 are authorized to be appropriated to carry out this section  
14 such sums as may be necessary for each of fiscal years  
15 2010 through 2014.

16 **“SEC. 3103. GENERAL PROVISIONS.**

17 “(a) INTEGRATION OF ENVIRONMENTAL HEALTH  
18 TRACKING PROGRAMS.—The Secretary shall integrate the  
19 enactment of this title with all environmental health track-  
20 ing programs funded prior to the date of the enactment  
21 of this title, including by integrating the programs, in ex-  
22 istence on the date of the enactment of this title, to de-  
23 velop State Network enhancements and to develop pro-  
24 grams to address specific local and regional concerns.

25 “(b) COORDINATION WITH AGENCY FOR TOXIC SUB-  
26 STANCES AND DISEASE REGISTRY.—In carrying out this

1 title, the Secretary, acting through the Director, shall co-  
2 ordinate activities and responses with the Agency for  
3 Toxic Substances and Disease Registry.

4 **“SEC. 3104. EXPANSION OF BIOMONITORING CAPABILITIES**  
5 **AND DATA COLLECTION.**

6 “(a) PURPOSE.—It is the purpose of this section to  
7 expand the scope and amount of biomonitoring data col-  
8 lected and analyzed by the Centers for Disease Control  
9 and Prevention, State laboratories, and consortia of State  
10 laboratories, in order to obtain robust information, includ-  
11 ing information by geographically defined areas and sub-  
12 populations, about a range of environmental exposures.

13 “(b) IN GENERAL.—In meeting the purpose of this  
14 section, the Secretary shall ensure that biomonitoring data  
15 are collected intramurally through appropriate sources, in-  
16 cluding the National Health and Nutrition Examination  
17 Survey, and extramurally shall enter into collaboration or  
18 partnerships with other entities to obtain additional infor-  
19 mation regarding vulnerable subpopulations or other sub-  
20 populations.

21 “(c) COOPERATIVE AGREEMENTS.—

22 “(1) IN GENERAL.—The Secretary, acting  
23 through the Director, shall enter into cooperative  
24 agreements with States or consortia of States to  
25 support the purposes of this title.

1           “(2) APPLICATIONS.—Applications for such co-  
2           operative agreements by consortia of States shall ad-  
3           dress the manner in which such States will coordi-  
4           nate activities with other States in the region, and  
5           shall designate a lead State for administrative pur-  
6           poses.

7           “(3) TRAINING AND QUALITY ASSURANCE.—  
8           The Secretary, acting through the Director, shall  
9           through the cooperative agreements with States or a  
10          consortia of States provide laboratory training and  
11          quality assurance.

12          “(d) PRIVACY.—In carrying out this section, the Sec-  
13          retary shall ensure the protection of privacy of individually  
14          identifiable health information, including ensuring protec-  
15          tion consistent with the regulations promulgated under  
16          section 264(c) of the Health Insurance Portability and Ac-  
17          countability Act of 1996.

18          “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
19          are authorized to be appropriated to carry out this section  
20          such sums as may be necessary for each of fiscal years  
21          2010 through 2014.”.

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