

117TH CONGRESS  
2D SESSION

# H. R. 9205

To allow certain public health funds appropriated by the American Rescue Plan Act of 2021 to be used to address the monkeypox public health emergency.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2022

Mr. CASTEN introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To allow certain public health funds appropriated by the American Rescue Plan Act of 2021 to be used to address the monkeypox public health emergency.

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 “Public Health Emer-  
5 gency Flexibility Act of 2022”.

1 **SEC. 2. FUNDING FOR ADDRESSING MONKEYPOX PUBLIC**  
2 **HEALTH EMERGENCY.**

3 (a) USE BY RESPECTIVE SECRETARIES.—Covered  
4 funds may, without further appropriation, be used by the  
5 respective Secretary with respect to monkeypox to the  
6 same extent and in the same manner as such funds are  
7 authorized to be used with respect to COVID–19.

8 (b) USE BY CERTAIN AWARDEES.—Notwithstanding  
9 the terms of any award of covered funds that was made  
10 before the date of enactment of this Act to a State, local,  
11 Tribal, or territorial government, such government may  
12 use such award with respect to monkeypox to the same  
13 extent and in the same manner as such award is author-  
14 ized to be used with respect to COVID–19.

15 (c) DEFINITIONS.—In this section:

16 (1) The term “covered funds” means funds  
17 that—

18 (A) were appropriated by subtitle D, E, F,  
19 G, or H of title II, or subtitle M or N of title  
20 IX, of the American Rescue Plan Act of 2021  
21 (Public Law 117–2), as amended; and

22 (B) have not been otherwise obligated or  
23 expended.

1           (2) The term “respective Secretary” means the  
2           Secretary to which the covered funds were appro-  
3           priated.

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