

118TH CONGRESS
1ST SESSION

S. 1601

To protect moms and babies against climate change, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 15, 2023

Mr. MARKEY (for himself, Mr. BOOKER, Mr. BLUMENTHAL, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To protect moms and babies against climate change, 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 “Protecting Moms and
5 Babies Against Climate Change Act”.

6 SEC. 2. DEFINITIONS.

7 In this Act:

8 (1) ADVERSE MATERNAL AND INFANT HEALTH
9 OUTCOMES.—The term “adverse maternal and in-
10 fant health outcomes” includes the outcomes of

1 preterm birth, low birth weight, stillbirth, infant or
2 maternal mortality, and severe maternal morbidity.

3 (2) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” has the
5 meaning given such term in section 101 of the High-
6 er Education Act of 1965 (20 U.S.C. 1001).

7 (3) MATERNAL MORTALITY.—The term “mater-
8 nal mortality” means a death occurring during or
9 within a 1-year period after pregnancy, caused by
10 pregnancy-related or childbirth complications, in-
11 cluding a suicide, overdose, or other death resulting
12 from a mental health or substance use disorder at-
13 tributed to or aggravated by pregnancy-related or
14 childbirth complications.

15 (4) MINORITY-SERVING INSTITUTION.—The
16 term “minority-serving institution” means an entity
17 specified in any of paragraphs (1) through (7) of
18 section 371(a) of the Higher Education Act of 1965
19 (20 U.S.C. 1067q(a)).

20 (5) PERINATAL HEALTH WORKER.—The term
21 “perinatal health worker” means a nonclinical health
22 worker focused on maternal or perinatal health, such
23 as a doula, community health worker, peer sup-
24 porter, lactation educator or counselor, nutritionist
25 or dietitian, childbirth educator, social worker, home

1 visitor, patient navigator or coordinator, or language
2 interpreter.

3 (6) RACIAL AND ETHNIC MINORITY GROUP.—
4 The term “racial and ethnic minority group” has the
5 meaning given such term in section 1707(g) of the
6 Public Health Service Act (42 U.S.C. 300u–6(g)).

7 (7) RISKS ASSOCIATED WITH CLIMATE
8 CHANGE.—The term “risks associated with climate
9 change” includes risks associated with extreme heat,
10 air pollution, extreme weather events, and other en-
11 vironmental issues associated with climate change
12 that can result in adverse maternal and infant
13 health outcomes.

14 (8) SECRETARY.—The term “Secretary” means
15 the Secretary of Health and Human Services.

16 (9) SEVERE MATERNAL MORBIDITY.—The term
17 “severe maternal morbidity” means a health condi-
18 tion, including mental health conditions and sub-
19 stance use disorders, attributed to or aggravated by
20 pregnancy or childbirth that results in significant
21 short-term or long-term consequences to the health
22 of the individual who was pregnant.

23 (10) STAKEHOLDER ORGANIZATION.—The term
24 “stakeholder organization” means—

1 (A) a community-based organization with
2 expertise in providing assistance to vulnerable
3 individuals;

4 (B) a nonprofit organization with expertise
5 in—

6 (i) maternal or infant health; or
7 (ii) environmental or climate justice;

8 and

9 (C) a patient advocacy organization rep-
10 resenting vulnerable individuals.

11 (11) VULNERABLE INDIVIDUAL.—The term
12 “vulnerable individual” means—

13 (A) an individual who is pregnant;
14 (B) an individual who was pregnant during
15 any portion of the preceding 1-year period; and
16 (C) an individual under 3 years of age.

17 **SEC. 3. GRANT PROGRAM TO PROTECT VULNERABLE**
18 **MOTHERS AND BABIES FROM CLIMATE**
19 **CHANGE RISKS.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of enactment of this Act, the Secretary shall establish
22 a grant program to protect vulnerable individuals from
23 risks associated with climate change.

1 (b) GRANT AUTHORITY.—In carrying out the Pro-
2 gram, the Secretary may award, on a competitive basis,
3 grants to 10 covered entities.

4 (c) APPLICATIONS.—To be eligible for a grant under
5 the Program, a covered entity shall submit to the Sec-
6 retary an application at such time, in such form, and con-
7 taining such information as the Secretary may require,
8 which shall include, at a minimum, a description of the
9 following:

10 (1) Plans for the use of grant funds awarded
11 under the Program and how patients and stake-
12 holder organizations were involved in the develop-
13 ment of such plans.

14 (2) How such grant funds will be targeted to
15 geographic areas that have disproportionately high
16 levels of risks associated with climate change for vul-
17 nerable individuals.

18 (3) How such grant funds will be used to ad-
19 dress racial and ethnic disparities in—

20 (A) adverse maternal and infant health
21 outcomes; and

22 (B) exposure to risks associated with cli-
23 mate change for vulnerable individuals.

24 (4) Strategies to prevent an initiative assisted
25 with such grant funds from causing—

(d) SELECTION OF GRANT RECIPIENTS.—

19 (C) the Administrator of the National Oce-
20 anic and Atmospheric Administration; and

(D) from the Department of Health and Human Services—

9 (3) PRIORITY.—In selecting grantees under the
10 Program, the Secretary shall give priority to covered
11 entities that serve a county or locality—

18 (B) with a level of vulnerability of mod-
19 erate-to-high or higher, according to the Social
20 Vulnerability Index of the Centers for Disease
21 Control and Prevention, or a similar rating of
22 social vulnerability according to related Federal
23 mapping tools;

24 (C) with temperatures that pose a risk to
25 human health, as determined by the Secretary,

1 in consultation with the Administrator of the
2 National Oceanic and Atmospheric Administra-
3 tion and the Chair of the United States Global
4 Change Research Program, based on the best
5 available science;

6 (D) with elevated rates of maternal mor-
7 tality, severe maternal morbidity, maternal
8 health disparities, or other adverse perinatal or
9 childbirth outcomes;

10 (E) with a rating of very high or relatively
11 high risk according to the National Risk Index
12 for Natural Hazards of the Federal Emergency
13 Management Agency; or

14 (F) with other climate-sensitive hazards
15 with associations to adverse maternal or infant
16 health outcomes, as determined by the Sec-
17 retary.

18 (4) LIMITATION.—A recipient of grant funds
19 under the Program may not use such grant funds to
20 serve a county or locality that is served by any other
21 recipient of a grant under the Program.

22 (e) USE OF FUNDS.—A covered entity awarded grant
23 funds under the Program may only use such grant funds
24 for the following:

- 1 (1) Initiatives to identify risks associated with
2 climate change for vulnerable individuals and to pro-
3 vide services and support to such individuals that
4 address such risks, which may include—
5 (A) training for health care providers,
6 perinatal health workers, and other employees
7 in hospitals, birth centers, midwifery practices,
8 and other health care practices that provide
9 prenatal or labor and delivery services to vul-
10 nerable individuals on the identification of, and
11 patient counseling relating to, risks associated
12 with climate change for vulnerable individuals;
13 (B) hiring, training, or providing resources
14 to perinatal health workers who can help iden-
15 tify risks associated with climate change for
16 vulnerable individuals, provide patient coun-
17 seling about such risks, and carry out the dis-
18 tribution of relevant services and support;
19 (C) enhancing the monitoring of risks as-
20 sociated with climate change for vulnerable in-
21 dividuals, including by—
22 (i) collecting data on such risks in
23 specific census tracts, neighborhoods, or
24 other geographic areas; and

(ii) sharing such data with local health care providers, perinatal health workers, and other employees in hospitals, clinics, midwifery practices, and other health care practices that provide prenatal or labor and delivery services to pregnant and vulnerable individuals; and

(D) providing vulnerable individuals—

(i) air conditioning units, residential weatherization support, filtration systems, household appliances, or related items;

(ii) direct financial assistance; and

(iii) services and support, including assistance, evacuation assistance, transportation assistance, access to cooling centers, and mental health counseling, to prepare for or recover from extreme weather events, which may include floods, hurricanes, wildfires, droughts, and related events.

1 (A) develop, maintain, or expand urban or
2 community forestry initiatives and tree canopy
3 coverage initiatives;

4 (B) improve infrastructure, such as build-
5 ings and paved surfaces;

6 (C) develop or improve community out-
7 reach networks to provide culturally and lin-
8 guistically appropriate information and notifica-
9 tions about risks associated with climate change
10 for vulnerable individuals; and

11 (D) provide enhanced services to racial and
12 ethnic minority groups and other underserved
13 populations.

14 (f) LENGTH OF AWARD.—A grant under this section
15 shall be disbursed over 4 fiscal years.

16 (g) TECHNICAL ASSISTANCE.—The Secretary shall
17 provide technical assistance to a covered entity awarded
18 a grant under the Program to support the development,
19 implementation, and evaluation of activities funded with
20 such grant.

21 (h) REPORTS TO SECRETARY.—

22 (1) ANNUAL REPORT.—For each fiscal year
23 during which a covered entity is disbursed grant
24 funds under the Program, such covered entity shall
25 submit to the Secretary a report that summarizes

1 the activities carried out by such covered entity with
2 such grant funds during such fiscal year, which shall
3 include a description of the following:

4 (A) The involvement of stakeholder organi-
5 zations in the implementation of initiatives as-
6 sisted with such grant funds.

7 (B) Relevant health and environmental
8 data, disaggregated, to the extent practicable,
9 by race, ethnicity, primary language, socio-
10 economic status, geography, insurance type,
11 pregnancy status, and other relevant demo-
12 graphic information.

13 (C) Qualitative feedback received from vul-
14 nerable individuals with respect to initiatives
15 assisted with such grant funds.

16 (D) Criteria used in selecting the geo-
17 graphic areas assisted with such grant funds.

18 (E) Efforts to address racial and ethnic
19 disparities in adverse maternal and infant
20 health outcomes and in exposure to risks associ-
21 ated with climate change for vulnerable individ-
22 uals.

23 (F) Any negative and unintended impacts
24 of initiatives assisted with such grant funds, in-
25 cluding—

9 (G) How the covered entity will address
10 and prevent any impacts described in subpara-
11 graph (F).

17 (i) REPORT TO CONGRESS.—Not later than the date
18 that is 5 years after the date on which the Program is
19 established, the Secretary shall submit to Congress and
20 publish on a public website of the Department of Health
21 and Human Services a report on the results of the Pro-
22 gram, including the following:

23 (1) Summaries of the annual reports submitted
24 under subsection (h).

1 (2) Evaluations of the initiatives assisted with
2 grant funds under the Program.

3 (3) An assessment of the effectiveness of the
4 Program in—

5 (A) identifying risks associated with cli-
6 mate change for vulnerable individuals;

7 (B) providing services and support to such
8 individuals;

9 (C) mitigating levels of and exposure to
10 such risks; and

11 (D) addressing racial and ethnic disparities
12 in adverse maternal and infant health outcomes
13 and in exposure to such risks.

14 (4) A description of how the Program could be
15 expanded, including—

16 (A) monitoring efforts or data collection
17 that would be required to identify areas with
18 high levels of risks associated with climate
19 change for vulnerable individuals;

20 (B) how such areas could be identified
21 using the strategy developed under section 6;
22 and

23 (C) recommendations for additional fund-
24 ing.

25 (j) DEFINITIONS.—In this section:

- 1 (1) The term “covered entity” means a consor-
2 tium of organizations serving a county that—
3 (A) shall include a community-based orga-
4 nization; and
5 (B) may include—
6 (i) another stakeholder organization;
7 (ii) the government of such county;
8 (iii) the governments of 1 or more
9 municipalities within such county;
10 (iv) a State or local public health de-
11 partment or emergency management agen-
12 cy;
13 (v) a local health care practice, which
14 may include a licensed and accredited hos-
15 pital, birth center, midwifery practice, or
16 other health care practice that provides
17 prenatal or labor and delivery services to
18 vulnerable individuals;
19 (vi) an Indian tribe or Tribal organi-
20 zation (as such terms are defined in sec-
21 tion 4 of the Indian Self-Determination
22 and Education Assistance Act (25 U.S.C.
23 5304));
24 (vii) an Urban Indian organization (as
25 defined in section 4 of the Indian Health

(2) The term "Program" means the grant program under this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$100,000,000 for the period of fiscal years 2024 through 2027.

**11 SEC. 4. GRANT PROGRAM FOR EDUCATION AND TRAINING
12 AT HEALTH PROFESSION SCHOOLS.**

13 (a) IN GENERAL.—Not later than 1 year after the
14 date of enactment of this Act, the Secretary shall establish
15 a grant program to provide funds to health profession
16 schools to support the development and integration of edu-
17 cation and training programs for identifying and address-
18 ing risks associated with climate change for vulnerable in-
19 dividuals.

20 (b) GRANT AUTHORITY.—In carrying out the Pro-
21 gram, the Secretary may award, on a competitive basis,
22 grants to health profession schools.

23 (c) APPLICATION.—To be eligible for a grant under
24 the Program, a health profession school shall submit to
25 the Secretary an application at such time, in such form,

1 and containing such information as the Secretary may re-
2 quire, which shall include, at a minimum, a description
3 of the following:

4 (1) How such health profession school will en-
5 gage with vulnerable individuals, and stakeholder or-
6 ganizations representing such individuals, in devel-
7 oping and implementing the education and training
8 programs supported by grant funds awarded under
9 the Program.

10 (2) How such health profession school will en-
11 sure that such education and training programs will
12 address racial and ethnic disparities in exposure to,
13 and the effects of, risks associated with climate
14 change for vulnerable individuals.

15 (d) USE OF FUNDS.—A health profession school
16 awarded a grant under the Program shall use the grant
17 funds to develop, and integrate into the curriculum and
18 continuing education of such health profession school, edu-
19 cation and training on each of the following:

20 (1) Identifying risks associated with climate
21 change for vulnerable individuals and individuals
22 with the intent to become pregnant.

23 (2) How risks associated with climate change
24 affect vulnerable individuals and individuals with the
25 intent to become pregnant.

1 (3) Racial and ethnic disparities in exposure to,
2 and the effects of, risks associated with climate
3 change for vulnerable individuals and individuals
4 with the intent to become pregnant.

5 (4) Patient counseling and mitigation strategies
6 relating to risks associated with climate change for
7 vulnerable individuals.

8 (5) Relevant services and support for vulnerable
9 individuals relating to risks associated with climate
10 change and strategies for ensuring vulnerable indi-
11 viduals have access to such services and support.

12 (6) Implicit and explicit bias, racism, and dis-
13 crimination.

14 (7) Related topics identified by such health pro-
15 fession school based on the engagement of such
16 health profession school with vulnerable individuals
17 and stakeholder organizations representing such in-
18 dividuals.

19 (e) PARTNERSHIPS.—In carrying out activities with
20 grant funds, a health profession school awarded a grant
21 under the Program may partner with 1 or more of the
22 following:

23 (1) A State or local public health department.
24 (2) A health care professional membership or-
25 ganization.

1 (3) A stakeholder organization.

2 (4) A health profession school.

3 (5) An institution of higher education.

4 (f) REPORTS TO SECRETARY.—

5 (1) ANNUAL REPORT.—For each fiscal year
6 during which a health profession school is disbursed
7 grant funds under the Program, such health profes-
8 sion school shall submit to the Secretary a report
9 that describes the activities carried out with such
10 grant funds during such fiscal year.

11 (2) FINAL REPORT.—Not later than the date
12 that is 1 year after the end of the last fiscal year
13 during which a health profession school is disbursed
14 grant funds under the Program, the health profes-
15 sion school shall submit to the Secretary a final re-
16 port that summarizes the activities carried out with
17 such grant funds.

18 (g) REPORT TO CONGRESS.—Not later than the date
19 that is 6 years after the date on which the Program is
20 established, the Secretary shall submit to Congress and
21 publish on a public website of the Department of Health
22 and Human Services a report that includes the following:

23 (1) A summary of the reports submitted under
24 subsection (f).

1 (2) Recommendations to improve education and
2 training programs at health profession schools with
3 respect to identifying and addressing risks associated
4 with climate change for vulnerable individuals.

5 (h) DEFINITIONS.—In this section:

6 (1) The term “health profession school” means
7 an accredited—
8 (A) medical school;
9 (B) school of nursing;
10 (C) midwifery program;
11 (D) physician assistant education program;
12 (E) teaching hospital;
13 (F) residency or fellowship program; or
14 (G) other school or program determined
15 appropriate by the Secretary.

16 (2) The term “Program” means the grant program under this section.

18 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to carry out this section
20 \$5,000,000 for the period of fiscal years 2024 through
21 2027.

22 **SEC. 5. NIH CONSORTIUM ON BIRTH AND CLIMATE CHANGE**

23 **RESEARCH.**

24 (a) ESTABLISHMENT.—Not later than 1 year after
25 the date of enactment of this Act, the Director of the Na-

1 tional Institutes of Health shall establish the Consortium
2 on Birth and Climate Change Research (in this section
3 referred to as the “Consortium”).

4 (b) DUTIES.—

5 (1) IN GENERAL.—The Consortium shall co-
6 ordinate, across the institutes, centers, and offices of
7 the National Institutes of Health, research on the
8 risks associated with climate change for vulnerable
9 individuals.

10 (2) REQUIRED ACTIVITIES.—In carrying out
11 paragraph (1), the Consortium shall—

12 (A) establish research priorities, including
13 by prioritizing research that—

14 (i) identifies the risks associated with
15 climate change for vulnerable individuals
16 with a particular focus on disparities in
17 such risks among racial and ethnic minor-
18 ity groups and other underserved popu-
19 lations; and

20 (ii) identifies strategies to reduce lev-
21 els of, and exposure to, such risks, with a
22 particular focus on risks among racial and
23 ethnic minority groups and other under-
24 served populations;

(B) identify gaps in available data related to such risks;

(C) identify gaps in, and opportunities for, research collaborations;

5 (D) identify funding opportunities for com-
6 munity-based organizations and researchers
7 from racially, ethnically, and geographically di-
8 verse backgrounds;

(E) identify opportunities to increase public awareness related to risks associated with climate change for vulnerable individuals; and

12 (F) publish annual reports on the work
13 and findings of the Consortium on a public
14 website of the National Institutes of Health

15 (c) MEMBERSHIP.—The Director shall appoint to the
16 Consortium representatives of such institutes, centers, and
17 offices of the National Institutes of Health as the Director
18 considers appropriate, including, at a minimum, rep-
19 resentatives of—

20 (1) the National Institute of Environmental
21 Health Sciences;

22 (2) the National Institute on Minority Health
23 and Health Disparities;

1 (4) the National Institute of Mental Health;
2 (5) the National Institute of Nursing Research;
3 and

4 (6) the Office of Research on Women's Health.

5 (d) CHAIRPERSON.—The Chairperson of the Consor-
6 tium shall be designated by the Director and selected from
7 among the representatives appointed under subsection (c).

8 (e) CONSULTATION.—In carrying out the duties de-
9 scribed in subsection (b), the Consortium shall consult
10 with—

11 (1) the heads of relevant Federal agencies, in-
12 cluding—

13 (A) the Environmental Protection Agency;
14 (B) the National Oceanic and Atmospheric
15 Administration;

16 (C) the Occupational Safety and Health
17 Administration; and

18 (D) from the Department of Health and
19 Human Services—

20 (i) the Office of Minority Health in
21 the Office of the Secretary;

22 (ii) the Centers for Medicare & Med-
23 icaid Services;

24 (iii) the Health Resources and Serv-
25 ices Administration;

(iv) the Centers for Disease Control and Prevention;

(v) the Indian Health Service; and

4 (vi) the Administration for Children
5 and Families; and

6 (2) representatives of—

7 (A) stakeholder organizations;

(B) health care providers and professional membership organizations with expertise in maternal health or environmental justice;

11 (C) State and local public health depart-
12 ments;

1 SEC. 6. STRATEGY FOR IDENTIFYING CLIMATE CHANGE

2 RISK ZONES FOR VULNERABLE MOTHERS

3 AND BABIES.

4 (a) IN GENERAL.—The Secretary, acting through the
5 Director of the Centers for Disease Control and Preven-
6 tion, shall develop a strategy (in this section referred to
7 as the “Strategy”) for designating areas that the Sec-
8 retary determines to have a high risk of adverse maternal
9 and infant health outcomes among vulnerable individuals
10 as a result of risks associated with climate change.

11 (b) STRATEGY REQUIREMENTS.—

12 (1) IN GENERAL.—In developing the Strategy,
13 the Secretary shall establish a process to identify
14 areas where vulnerable individuals are exposed to a
15 high risk of adverse maternal and infant health out-
16 comes as a result of risks associated with climate
17 change in conjunction with other factors that can
18 impact such health outcomes, including—

19 (A) the incidence of diseases associated
20 with air pollution, extreme heat, and other envi-
21 ronmental factors;

22 (B) the availability and accessibility of ma-
23 ternal and infant health care providers;

24 (C) English-language proficiency among
25 women of reproductive age;

(D) the health insurance status of women
of reproductive age;

(F) the socioeconomic status of women of reproductive age, including with respect to—

9 (i) poverty;

10 (ii) unemployment;

(iii) household income; and

12 (iv) educational attainment; and

(G) access to quality housing, transportation, and nutrition.

20 (i) risks associated with climate
21 change for vulnerable individuals; and

(B) Environmental, health, socioeconomic, and demographic data relevant to identifying risks associated with climate change for vulnerable individuals.

5 (C) Existing monitoring networks that col-
6 lect data described in subparagraph (B), and
7 any gaps in such networks.

(G) Potential uses for data collected and generated as a result of the Strategy, including how such data may be used in determining re-

1 cipients of grants under the program estab-
2 lished by section 3 or other similar programs.

3 (H) Other information the Secretary con-
4 siders relevant for the development of the Strat-
5 egy.

6 (c) COORDINATION AND CONSULTATION.—In devel-
7 oping the Strategy, the Secretary shall—

8 (1) coordinate with the Administrator of the
9 Environmental Protection Agency and the Adminis-
10 trator of the National Oceanic and Atmospheric Ad-
11 ministration; and

12 (2) consult with—

13 (A) stakeholder organizations;

14 (B) health care providers and professional
15 membership organizations with expertise in ma-
16 ternal health or environmental justice;

17 (C) State and local public health depart-
18 ments;

19 (D) licensed and accredited hospitals, birth
20 centers, midwifery practices, or other health
21 care providers that provide prenatal or labor
22 and delivery services to vulnerable individuals;
23 and

24 (E) institutions of higher education, in-
25 cluding such institutions that are minority-serv-

1 ing institutions or have expertise in maternal
2 health or environmental justice.

3 (d) NOTICE AND COMMENT.—At least 240 days be-
4 fore the date on which the Strategy is published in accord-
5 ance with subsection (e), the Secretary shall provide—

6 (1) notice of the Strategy on a public website
7 of the Department of Health and Human Services;
8 and

9 (2) an opportunity for public comment of at
10 least 90 days.

11 (e) PUBLICATION.—Not later than 18 months after
12 the date of enactment of this Act, the Secretary shall pub-
13 lish on a public website of the Department of Health and
14 Human Services—

15 (1) the Strategy;
16 (2) the public comments received under sub-
17 section (d); and
18 (3) the responses of the Secretary to such pub-
19 lic comments.

