

111TH CONGRESS
1ST SESSION

S. 1732

To amend the Public Health Service Act to provide for health data regarding Native Hawaiians and other Pacific Islanders.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2009

Mr. INOUE (for himself and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Public Health Service Act to provide for health data regarding Native Hawaiians and other Pacific Islanders.

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 “Native Hawaiian and
5 Other Pacific Islander Health Data Act of 2009”.

6 **SEC. 2. NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDER**
7 **HEALTH DATA.**

8 Part B of title III of the Public Health Service Act
9 (42 U.S.C. 243 et seq.) is amended by inserting after sec-
10 tion 317T the following:

1 **“SEC. 317U. NATIVE HAWAIIAN AND OTHER PACIFIC IS-**
2 **LANDER HEALTH DATA.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) COMMUNITY GROUP.—The term ‘commu-
5 nity group’ means a group of NHOPI who are orga-
6 nized at the community level, and may include a
7 church group, social service group, national advocacy
8 organization, or cultural group.

9 “(2) NONPROFIT, NONGOVERNMENTAL ORGANI-
10 ZATION.—The term ‘nonprofit, nongovernmental or-
11 ganization’ means a group of NHOPI with a dem-
12 onstrated history of addressing NHOPI issues, in-
13 cluding a NHOPI coalition.

14 “(3) DESIGNATED ORGANIZATION.—The term
15 ‘designated organization’ means an entity estab-
16 lished to represent NHOPI populations and which
17 has statutory responsibilities to provide, or has com-
18 munity support for providing, health care.

19 “(4) GOVERNMENT REPRESENTATIVES.—The
20 term ‘government representatives’ means representa-
21 tives from Hawai‘i, American Samoa, the Common-
22 wealth of the Northern Mariana Islands, the Fed-
23 erated States of Micronesia, Guam, the Republic of
24 Palau, and the Republic of the Marshall Islands.

25 “(5) NATIVE HAWAIIANS AND OTHER PACIFIC
26 ISLANDERS OR NHOPI.—The term ‘Native Hawai-

1 ians and Other Pacific Islanders’ or ‘NHOPI’ means
2 people having origins in any of the original peoples
3 of American Samoa, the Commonwealth of the
4 Northern Mariana Islands, the Federated States of
5 Micronesia, Guam, Hawai‘i, the Republic of the
6 Marshall Islands, the Republic of Palau, or any
7 other Pacific Island.

8 “(6) INSULAR AREA.—The term ‘insular area’
9 means Guam, the Commonwealth of Northern Mar-
10 iana Islands, American Samoa, the United States
11 Virgin Islands, the Federated States of Micronesia,
12 the Republic of Palau, or the Republic of the Mar-
13 shall Islands.

14 “(b) NATIONAL STRATEGY.—

15 “(1) IN GENERAL.—The Secretary, acting
16 through the Director of the National Center for
17 Health Statistics (referred to in this section as
18 ‘NCHS’) of the Centers for Disease Control and
19 Prevention, and other agencies within the Depart-
20 ment of Health and Human Services as the Sec-
21 retary determines appropriate, shall develop and im-
22 plement an ongoing and sustainable national strat-
23 egy for identifying and evaluating the health status
24 and health care needs of NHOPI populations living
25 in the continental United States, Hawai‘i, American

1 Samoa, the Commonwealth of the Northern Mariana
2 Islands, the Federated States of Micronesia, Guam,
3 the Republic of Palau, and the Republic of the Mar-
4 shall Islands.

5 “(2) CONSULTATION.—In developing and imple-
6 menting a national strategy, as described in para-
7 graph (1), not later than 180 days after the date of
8 enactment of the Native Hawaiian and Other Pacific
9 Islander Health Data Act of 2009, the Secretary—

10 “(A) shall consult with representatives of
11 community groups, designated organizations,
12 and nonprofit, nongovernmental organizations
13 and with government representatives of NHOPI
14 populations; and

15 “(B) may solicit the participation of rep-
16 resentatives from other Federal departments.

17 “(c) PRELIMINARY HEALTH SURVEY.—

18 “(1) IN GENERAL.—The Secretary, acting
19 through the Director of NCHS, shall conduct a pre-
20 liminary health survey in order to identify the major
21 areas and regions in the continental United States,
22 Hawai‘i, American Samoa, the Commonwealth of the
23 Northern Mariana Islands, the Federated States of
24 Micronesia, Guam, the Republic of Palau, and the

1 Republic of the Marshall Islands in which NHOPI
2 people reside.

3 “(2) CONTENTS.—The health survey described
4 in paragraph (1) shall include health data and any
5 other data the Secretary determines to be—

6 “(A) useful in determining health status
7 and health care needs; or

8 “(B) required for developing or imple-
9 menting a national strategy.

10 “(3) METHODOLOGY.—Methodology for the
11 health survey described in paragraph (1), including
12 plans for designing questions, implementation, sam-
13 pling, and analysis, shall be developed in consulta-
14 tion with community groups, designated organiza-
15 tions, nonprofit, nongovernmental organizations, and
16 government representatives of NHOPI populations,
17 as determined by the Secretary.

18 “(4) TIMEFRAME.—The survey required under
19 this subsection shall be completed not later than 18
20 months after the date of enactment of the Native
21 Hawaiian and Other Pacific Islander Health Data
22 Act of 2009.

23 “(d) PROGRESS REPORT.—Not later than 2 years
24 after the date of enactment of the Native Hawaiian and
25 Other Pacific Islander Health Data Act of 2009, the Sec-

1 retary shall submit to Congress a progress report, which
2 shall include the national strategy described in subsection
3 (b)(1).

4 “(e) STUDY AND REPORT BY THE IOM.—

5 “(1) IN GENERAL.—The Secretary shall enter
6 into an agreement with the Institute of Medicine to
7 conduct a study, with input from stakeholders in in-
8 sular areas, on the following:

9 “(A) The standards and definitions of
10 health care applied to health care systems in in-
11 sular areas and the appropriateness of such
12 standards and definitions.

13 “(B) The status and performance of health
14 care systems in insular areas, evaluated based
15 upon standards and definitions, as the Sec-
16 retary determines.

17 “(C) The effectiveness of donor aid in ad-
18 dressing health care needs and priorities in in-
19 sular areas.

20 “(D) The progress toward implementation
21 of recommendations of the Committee on
22 Health Care Services in the United States–As-
23 sociated Pacific Basin of the Institute of Medi-
24 cine that are set forth in the 1998 report, ‘Pa-

1 cific Partnerships for Health: Charting a New
2 Course for the 21st Century’.

3 “(2) REPORT.—An agreement described in
4 paragraph (1) shall require the Institute of Medicine
5 to submit to the Secretary and to Congress, not
6 later than 2 years after the date of the enactment
7 of the Native Hawaiian and Other Pacific Islander
8 Health Data Act of 2009, a report containing a de-
9 scription of the results of the study conducted under
10 paragraph (1), including the conclusions and rec-
11 ommendations of the Institute of Medicine for each
12 of the items described in subparagraphs (A) through
13 (D) of such paragraph.

14 “(f) AUTHORIZATION OF APPROPRIATIONS.—To
15 carry out this section, there are authorized to be appro-
16 priated such sums as may be necessary for fiscal years
17 2010 through 2015.”.

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