

115TH CONGRESS
2D SESSION

H. R. 5329

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2018

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Poison Center Network
3 Enhancement Act of 2018”.

4 **SEC. 2. REAUTHORIZATION OF POISON CONTROL CENTERS**
5 **NATIONAL TOLL-FREE NUMBER.**

6 Section 1271 of the Public Health Service Act (42
7 U.S.C. 300d–71) is amended to read as follows:

8 **“SEC. 1271. ESTABLISHMENT AND MAINTENANCE OF THE**
9 **NATIONAL TOLL-FREE NUMBER AND EN-**
10 **HANCED COMMUNICATIONS CAPABILITIES.**

11 “(a) IN GENERAL.—The Secretary shall provide co-
12 ordination and assistance to poison control centers for—

13 “(1) the development, establishment, implemen-
14 tation, and maintenance of a nationwide toll-free
15 phone number; and

16 “(2) the enhancement of communications capa-
17 bilities, which may include text capabilities.

18 “(b) CONSULTATION.—The Secretary may consult
19 with nationally recognized professional organizations in
20 the field of poison control to determine the best and most
21 effective means of achieving the goals described in para-
22 graphs (1) and (2) of subsection (a).

23 “(c) RULE OF CONSTRUCTION.—In assisting with
24 public health emergencies, responses, or preparedness,
25 nothing in this section shall be construed to restrict the

1 work of poison control centers or the use of their resources
2 by the Secretary or other governmental agencies.

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to carry out this section
5 \$700,000 for each of fiscal years 2019 through 2023.”.

6 **SEC. 3. REAUTHORIZATION OF NATIONWIDE PUBLIC**
7 **AWARENESS CAMPAIGN TO PROMOTE POI-**
8 **SON CONTROL CENTER UTILIZATION.**

9 Section 1272 of the Public Health Service Act (42
10 U.S.C. 300d–72) is amended to read as follows:

11 **“SEC. 1272. NATIONWIDE PUBLIC AWARENESS CAMPAIGN**
12 **TO PROMOTE POISON CONTROL CENTER UTI-**
13 **LIZATION AND THEIR PUBLIC HEALTH EMER-**
14 **GENCY RESPONSE CAPABILITIES.**

15 “(a) IN GENERAL.—The Secretary shall—

16 “(1) carry out, and expand upon, a national
17 public awareness campaign to educate the public and
18 health care providers about—

19 “(A) poisoning, toxic exposure, and drug
20 misuse prevention; and

21 “(B) the availability of poison control cen-
22 ter resources in local communities; and

23 “(2) as part of such campaign, highlight the
24 nationwide toll-free number and enhanced commu-
25 nications capabilities supported under section 1271.

1 “(b) CONSULTATION.—In carrying out and expand-
2 ing upon the national campaign under subsection (a), the
3 Secretary may consult with nationally recognized profes-
4 sional organizations in the field of poison control response
5 for the purpose of determining the best and most effective
6 methods for achieving public awareness.

7 “(c) CONTRACT WITH ENTITY.—The Secretary may
8 carry out subsection (a) by entering into contracts with
9 one or more public or private entities, including nationally
10 recognized professional organizations in the field of poison
11 control and national media firms, for the development and
12 implementation of the awareness campaign under sub-
13 section (a), which may include—

14 “(1) the development and distribution of poi-
15 soning and toxic exposure prevention, poison control
16 center, and public health emergency awareness and
17 response materials;

18 “(2) television, radio, internet, and newspaper
19 public service announcements; and

20 “(3) other means and activities to provide for
21 public and professional awareness and education.

22 “(d) EVALUATION.—The Secretary shall—

23 “(1) establish baseline measures and bench-
24 marks to quantitatively evaluate the impact of the

1 nationwide public awareness campaign carried out
2 under this section; and

3 “(2) on a biennial basis, prepare and submit to
4 the appropriate committees of Congress an evalua-
5 tion of the nationwide public awareness campaign.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
7 is authorized to be appropriated to carry out this section,
8 \$800,000 for each of fiscal years 2019 through 2023.”.

9 **SEC. 4. REAUTHORIZATION OF THE POISON CONTROL CEN-**
10 **TER GRANT PROGRAM.**

11 Section 1273 of the Public Health Service Act (42
12 U.S.C. 300d–73) is amended to read as follows:

13 **“SEC. 1273. MAINTENANCE OF THE POISON CONTROL CEN-**
14 **TER GRANT PROGRAM.**

15 “(a) AUTHORIZATION OF PROGRAM.—The Secretary
16 shall award grants to poison control centers accredited
17 under subsection (c) (or granted a waiver under subsection
18 (d)) and nationally recognized professional organizations
19 in the field of poison control for the purposes of—

20 “(1) preventing, and providing treatment rec-
21 ommendations for, poisonings and toxic exposures
22 including opioid and drug misuse;

23 “(2) assisting with public health emergencies,
24 responses, and preparedness; and

1 “(3) complying with the operational require-
2 ments needed to sustain the accreditation of the cen-
3 ter under subsection (c).

4 “(b) ADDITIONAL USES OF FUNDS.—In addition to
5 the purposes described in subsection (a), a poison center
6 or professional organization awarded a grant under such
7 subsection may also use amounts received under such
8 grant—

9 “(1) to research, establish, implement, and
10 evaluate best practices in the United States for poi-
11 soning prevention, poison control center outreach,
12 opioid and drug misuse information and response,
13 and public health emergency, response, and pre-
14 paredness programs;

15 “(2) to research, develop, implement, revise,
16 and communicate standard patient management
17 guidelines for commonly encountered toxic expo-
18 sures;

19 “(3) to improve national toxic exposure and
20 opioid misuse surveillance by enhancing cooperative
21 activities between poison control centers in the
22 United States and the Centers for Disease Control
23 and Prevention and other governmental agencies;

24 “(4) to research, improve, and enhance the
25 communications and response capability and capaci-

1 ity of the Nation’s network of poison control centers
2 to facilitate increased access to the centers through
3 the integration and modernization of the current
4 poison control centers communications and data sys-
5 tem, including enhancing the network’s telephony,
6 internet, data, and social networking technologies;

7 “(5) to develop, support, and enhance tech-
8 nology and capabilities of nationally recognized pro-
9 fessional organizations in the field of poison control
10 to collect national poisoning, toxic occurrence, and
11 related public health data;

12 “(6) to develop initiatives to foster the en-
13 hanced public health utilization of national poison
14 data collected by such organizations;

15 “(7) to support and expand the toxicologic ex-
16 pertise within poison control centers; and

17 “(8) to improve the capacity of poison control
18 centers to answer high volumes of contacts and
19 internet communications, and to sustain and en-
20 hance the poison control center’s network capability
21 to respond during times of national crisis or other
22 public health emergencies.

23 “(c) ACCREDITATION.—Except as provided in sub-
24 section (d), the Secretary may award a grant to a poison
25 control center under subsection (a) only if—

1 “(1) the center has been accredited by a nation-
2 ally recognized professional organization in the field
3 of poison control, and the Secretary has approved
4 the organization as having in effect standards for
5 accreditation that reasonably provide for the protec-
6 tion of the public health with respect to poisoning;
7 or

8 “(2) the center has been accredited by a State
9 government, and the Secretary has approved the
10 State government as having in effect standards for
11 accreditation that reasonably provide for the protec-
12 tion of the public health with respect to poisoning.

13 “(d) WAIVER OF ACCREDITATION REQUIREMENTS.—

14 “(1) IN GENERAL.—The Secretary may grant a
15 waiver of the accreditation requirements of sub-
16 section (c) with respect to a nonaccredited poison
17 control center that applies for a grant under this
18 section if such center can reasonably demonstrate
19 that the center will obtain such an accreditation
20 within a reasonable period of time as determined ap-
21 propriate by the Secretary.

22 “(2) RENEWAL.—The Secretary may renew a
23 waiver under paragraph (1).

24 “(3) LIMITATION.—The Secretary may not,
25 after the date of enactment of the Poison Control

1 Network Enhancement Act of 2018, grant to a poi-
2 son control center waivers or renewals that total
3 more than 5 years.

4 “(e) SUPPLEMENT NOT SUPPLANT.—Amounts made
5 available to a poison control center under this section shall
6 be used to supplement and not supplant other Federal,
7 State, or local funds provided for such center.

8 “(f) MAINTENANCE OF EFFORT.—A poison control
9 center, in utilizing the proceeds of a grant under this sec-
10 tion, shall maintain the annual recurring expenditures of
11 the center for its activities at a level that is not less than
12 80 percent of the average level of such recurring expendi-
13 tures maintained by the center for the preceding 3 fiscal
14 years for which a grant is received.

15 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
16 is authorized to be appropriated to carry out this section,
17 \$28,600,000 for each of fiscal years 2019 through 2023.
18 The Secretary may utilize an amount not to exceed 6 per-
19 cent of the amount appropriated pursuant to the pre-
20 ceding sentence for each fiscal year for coordination, dis-
21 semination, technical assistance, program evaluation, data
22 activities, and other program administration functions,

- 1 which are determined by the Secretary to be appropriate
- 2 for carrying out the program under this section.”.

Passed the House of Representatives June 12, 2018.

Attest:

KAREN L. HAAS,

Clerk.