

**Union Calendar No. 65**

103D CONGRESS  
1ST SESSION

**H. R. 2204**

[Report No. 103-1211]

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**A BILL**

To amend the Public Health Service Act to establish a program for the prevention of disabilities, and for other purposes.

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JUNE 10, 1993

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1993

Mr. WAXMAN (for himself, Mr. MOORHEAD, Mr. TOWNS, and Mr. STUDDS) introduced the following bill; which was referred to the Committee on Energy and Commerce

JUNE 10, 1993

Additional sponsors: Mr. RICHARDSON, Mr. FRANKS of Connecticut, Mr. MANTON, and Mr. UPTON

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**A BILL**

To amend the Public Health Service Act to establish a program for the prevention of disabilities, 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 “Silvio O. Conte Dis-  
3 abilities Prevention Act”.

4 **SEC. 2. ESTABLISHMENT OF SILVIO O. CONTE DISABILITIES**  
5 **PREVENTION PROGRAM.**

6 Part B of title III of the Public Health Service Act  
7 (42 U.S.C. 243 et seq.) is amended by inserting after sec-  
8 tion 314 the following new section:

9 “SILVIO O. CONTE DISABILITIES PREVENTION PROGRAM

10 “SEC. 315. (a) IN GENERAL.—The Secretary, acting  
11 through the Director of the Centers for Disease Control  
12 and Prevention, may make grants to and enter into con-  
13 tracts with public and nonprofit private entities for the  
14 purpose of carrying out programs for the prevention of  
15 disabilities and the prevention of secondary conditions re-  
16 sulting from disabilities.

17 “(b) CERTAIN AUTHORIZED ACTIVITIES.—With re-  
18 spect to the prevention of disabilities and conditions de-  
19 scribed in subsection (a), activities for which the Secretary  
20 may provide financial assistance under such subsection in-  
21 clude—

22 “(1) coordinating prevention activities;

23 “(2) conducting demonstrations and interven-  
24 tions;

25 “(3) conducting surveillances and studies;

26 “(4) educating the public; and

1           “(5) educating and training health professionals  
2           (including allied health professionals) and conduct-  
3           ing activities to improve the clinical skills of such  
4           professionals.

5           “(c) PRIORITIES.—The Secretary, in consultation  
6           with the National Council on Disabilities, shall establish  
7           priorities among the activities that are to be carried out  
8           under subsection (a).

9           “(d) REPORTS TO SECRETARY.—The Secretary may  
10          provide financial assistance under subsection (a) only if  
11          the applicant involved agrees to submit to the Secretary  
12          such reports as the Secretary may require with respect  
13          to such assistance.

14          “(e) APPLICATION FOR ASSISTANCE.—The Secretary  
15          may provide financial assistance under subsection (a) only  
16          if an application for such assistance is submitted to the  
17          Secretary and the application is in such form, is made in  
18          such manner, and contains such agreements, assurances,  
19          and information as the Secretary determines to be nec-  
20          essary to carry out this section.

21          “(f) LIMITATION REGARDING EDUCATION OF  
22          HEALTH PROFESSIONALS.—In providing financial assist-  
23          ance under subsection (a), the Secretary may not, for ac-  
24          tivities described in subsection (b)(5), obligated more than

1 10 percent of the amounts appropriated under subsection  
2 (k) for any fiscal year.

3 “(g) TECHNICAL ASSISTANCE.—The Secretary may  
4 provide training, technical assistance, and consultations  
5 with respect to the planning, development, and operation  
6 of any program for the prevention of disabilities or the  
7 prevention of secondary conditions resulting from disabili-  
8 ties.

9 “(h) PROVISION OF SUPPLIES AND SERVICES IN  
10 LIEU OF FUNDS.—

11 “(1) IN GENERAL.—Upon the request of a re-  
12 cipient of financial assistance under subsection (a),  
13 the Secretary may, subject to paragraph (2), provide  
14 supplies, equipment, and services for the purpose of  
15 aiding the recipient in carrying out such subsection  
16 and, for such purpose, may detail to the recipient  
17 any officer or employee of the Department of Health  
18 and Human Services.

19 “(2) CORRESPONDING REDUCTION IN PAY-  
20 MENTS.—With respect to a request by a recipient  
21 for purposes of paragraph (1), the Secretary shall  
22 reduce the amount of payments under subsection (a)  
23 to the recipient by an amount equal to the costs of  
24 detailing personnel (including pay, allowances, and  
25 travel expenses) and the fair market value of any

1 supplies, equipment, or services provided by the Sec-  
2 retary. The Secretary shall, for the payment of ex-  
3 penses incurred in complying with such request, ex-  
4 pend the amounts withheld.

5 “(i) EVALUATIONS AND REPORTS.—

6 “(1) EVALUATIONS.—The Secretary shall, di-  
7 rectly or through contracts with public or private en-  
8 tities, provide for evaluations of programs carried  
9 out pursuant to subsection (a).

10 “(2) REPORTS.—Not later than January 31 of  
11 1995 and of every second year thereafter, the Sec-  
12 retary shall submit to the Committee on Energy and  
13 Commerce of the House of Representatives, and to  
14 the Committee on Labor and Human Resources of  
15 the Senate, a report summarizing evaluations car-  
16 ried out pursuant to paragraph (1). The Secretary  
17 shall provide a copy of each such report to the Na-  
18 tional Council on Disability.

19 “(j) DEFINITIONS.—For purposes of this section:

20 “(1) The term ‘financial assistance’ means a  
21 grant or contract.

22 “(2) The term ‘prevention’ means activities that  
23 address the causes of disabilities and secondary con-  
24 ditions resulting from disabilities, and activities that  
25 address the functional limitations involved and the

1       exacerbation of such limitations, including activities  
2       that—

3               “(A) eliminate or reduce the factors that  
4               cause or predispose an individual to disabilities  
5               or that increase the prevalence of disabilities;

6               “(B) increase the early identification of ex-  
7               isting problems to eliminate circumstances that  
8               create or increase functional limitations; and

9               “(C) mitigate against the effects of disabil-  
10              ities throughout the life of the individual.

11       “(k) AUTHORIZATION OF APPROPRIATIONS.—For the  
12       purpose of providing financial assistance under this sec-  
13       tion, there are authorized to be appropriated \$15,000,000  
14       for fiscal year 1994, \$20,000,000 for fiscal year 1995,  
15       \$25,000,000 for fiscal year 1996, and such sums as may  
16       be necessary for each of the fiscal years 1997 and 1998.”.