

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 869

To amend the Public Health Service Act to provide for demonstration projects for the identification by health care providers of victims of domestic violence and sexual assault, to provide for the education of the public on the consequences to the public health of such violence and assault, to provide for epidemiological research on such violence and assault, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 4 (legislative day, APRIL 19), 1993

Mr. WELLSTONE (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To amend the Public Health Service Act to provide for demonstration projects for the identification by health care providers of victims of domestic violence and sexual assault, to provide for the education of the public on the consequences to the public health of such violence and assault, to provide for epidemiological research on such violence and assault, 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 “Violence Reduction  
3 Training Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) Domestic violence and sexual assault rep-  
7 resent serious threats to the health and well-being of  
8 millions of women in the United States.

9 (2) Violence against women has serious health  
10 consequences for its victims, including fatality, se-  
11 vere trauma, repeated physical injuries, and chronic  
12 stress-related disorder.

13 (3) Violence against women has serious mental  
14 health consequences for its victims, including sub-  
15 stance abuse, severe psychological trauma, and sui-  
16 cide.

17 (4) Approximately 4,000,000 women in the  
18 United States are victims of domestic violence each  
19 year.

20 (5) One of two women is a victim of domestic  
21 violence or sexual assault during her lifetime.

22 (6) Battering is the leading cause of injury to  
23 women.

24 (7) It has been estimated that 1 in 6 pregnant  
25 women are battered, resulting in increased rates of  
26 miscarriage, stillbirths, and low-birthweight babies.

1           (8) Domestic violence may account for as much  
2 as one-third of emergency-room visits by women, an  
3 annual total of approximately 28,700 such visits.

4           (9) Estimates based on the National Crime  
5 Survey provide that domestic violence accounts for  
6 21,000 hospitalizations, 99,800 days of hospitaliza-  
7 tion, and 39,900 visits to a physician each year.

8           (10) Fewer than 5 percent of injured women  
9 are correctly diagnosed by medical personnel as  
10 being victims of domestic violence.

11           (11) Hospitals and clinics do not have a uni-  
12 form set of protocols for the identification and refer-  
13 ral of victims of domestic violence and sexual as-  
14 sault, or for the training of health care professionals  
15 to perform such functions.

16           (12) A national surveillance system for monitor-  
17 ing the health effects of domestic violence and sexual  
18 assault should be established to determine the na-  
19 ture and extent of such violence and assault in the  
20 United States.

21           (13) The Surgeon General has identified domes-  
22 tic violence as a public health problem to which all  
23 health care providers must actively and vigorously  
24 respond.



1           “(B) refer the individuals to entities that  
2           provide services regarding such violence and as-  
3           sault, including referrals for counseling, housing  
4           (including temporary housing), legal services,  
5           and services of community organizations.

6           “(2) APPLICATION.—A grant, contract or coop-  
7           erative agreement may not be made or entered into  
8           under this section unless an application for such  
9           grant, contract or agreement has been submitted to  
10          and approved by the Secretary.

11          “(3) APPROVAL.—A grant, contract or coopera-  
12          tive agreement under this section shall be awarded  
13          in accordance with such regulations as the Secretary  
14          may promulgate. To be approved by the Secretary,  
15          an application submitted under paragraph (2)  
16          shall—

17                  “(A) demonstrate that the applicant in-  
18                  tends to use protocols developed by or under de-  
19                  velopment by entities with demonstrated exper-  
20                  tise in domestic violence or sexual assault; and

21                  “(B) demonstrate that, in providing such  
22                  training, the applicant is willing to work with  
23                  local groups that have expertise in treatment  
24                  and prevention of domestic violence and sexual  
25                  assault.

1           “(4) CONSIDERATIONS.—In awarding a grant,  
2 contract or cooperative agreement under this section,  
3 the Secretary shall take into account—

4           “(A) the number of health care providers  
5 to be trained;

6           “(B) the diversity of health care providers  
7 to be trained; and

8           “(C) the extent to which a hospital is ac-  
9 tively complying with the standards of the Joint  
10 Commission on Accreditation of Hospitals and  
11 Organizations to promote improved recognition  
12 and treatment of possible victims of abuse in  
13 hospitals, emergency departments, and ambula-  
14 tory care units, when training hospital-based  
15 health care providers.

16           “(5) REPORTS.—The Secretary may award a  
17 grant, contract or cooperative agreement under  
18 paragraph (1) only if the applicant for the grant,  
19 contract or cooperative agreement agrees to submit  
20 to the Secretary a report describing the activities of  
21 the project under such paragraph for the fiscal year  
22 for which the grant, contract or cooperative agree-  
23 ment is awarded.

24           “(b) PUBLIC EDUCATION.—The Secretary, acting  
25 through the Director of the Centers for Disease Control

1 and Prevention, shall carry out a program to educate  
2 health care providers and the public on the consequences  
3 to the public health of domestic violence and sexual  
4 assault.

5 “(c) EPIDEMIOLOGICAL RESEARCH.—

6 “(1) IN GENERAL.—The Secretary, acting  
7 through the Director of the Centers for Disease  
8 Control and Prevention, shall provide for the con-  
9 duct of epidemiological research on domestic violence  
10 and sexual assault. In providing for such research,  
11 the Secretary shall ensure that, with respect to such  
12 violence and assault, data is collected on—

13 “(A) the incidence of cases and the effect  
14 of the cases on the costs of health care in the  
15 United States;

16 “(B) the type and severity of injuries sus-  
17 tained and the type and severity of any other  
18 resulting health conditions;

19 “(C) the extent to which victims seek  
20 treatment, including a comparison of the inci-  
21 dence of cases with the incidence of seeking  
22 treatment;

23 “(D) a description of common cir-  
24 cumstances influencing victims not to seek  
25 treatment;

1           “(E) the types of medical facilities and  
2           health care providers from which victims seek  
3           treatment; and

4           “(F) the demographic characteristics of  
5           the individuals from whom data described in  
6           subparagraphs (A) through (E) is collected.

7           “(2) NATIONAL SYSTEM.—In carrying out para-  
8           graph (1), the Secretary shall cooperate with the  
9           States for the purpose of establishing, to the extent  
10          practicable, a national system for the collection of  
11          data regarding domestic violence and sexual assault.

12          “(3) CONFIDENTIALITY.—Standards of con-  
13          fidentiality under section 308(d) shall apply to data  
14          collected under paragraph (1) to the same extent  
15          and in the same manner as such section applies to  
16          information obtained under section 304, 306, or  
17          307.

18          “(4) REPORT.—Not later than February 1,  
19          1996, and every 2 years thereafter, the Secretary  
20          shall submit to the Congress a report summarizing  
21          the data collected under paragraph (1) for the pre-  
22          ceding 2 years.

23          “(c) AUTHORIZATION OF APPROPRIATIONS.—

24                 “(1) IN GENERAL.—For the purpose of carry-  
25                 ing out this section, there are authorized to be ap-

1       appropriated \$20,000,000 for fiscal year 1994, and  
2       such sums as may be necessary for each of the fiscal  
3       years 1995 through 1997.

4               “(2) ALLOCATION FOR DEMONSTRATION  
5       PROJECTS.—Of the amounts appropriated under  
6       paragraph (1) for a fiscal year, the Secretary shall  
7       make available not less than 60 percent for grants,  
8       contracts or cooperative agreements under sub-  
9       section (a).”.

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