

105TH CONGRESS
1ST SESSION

H. R. 1003

[Report No. 105–46, Part I]

To clarify Federal law with respect to restricting the use of Federal funds
in support of assisted suicide.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 1997

Mr. HALL of Texas (for himself, Mr. BAKER, Mr. BARCIA, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOEHNER, Mr. BONILLA, Mr. BRYANT, Mr. BUNNING, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. CANADY of Florida, Mr. CHABOT, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. CLEMENT, Mr. COBLE, Mr. COBURN, Mr. COLLINS, Mr. CONDIT, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DELAY, Mr. DICKEY, Mr. DOOLITTLE, Mr. DOYLE, Ms. DUNN, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. GANSKE, Mr. GOODLATTE, Mr. GRAHAM, Mr. GREEN, Mr. GUTKNECHT, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HERGER, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HOLDEN, Mr. HOSTETTLER, Mr. HUNTER, Mr. HYDE, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. KASICH, Mrs. KELLY, Mr. KING, Mr. KLINK, Mr. KNOLLENBERG, Mr. LARGENT, Mr. LATHAM, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LIVINGSTON, Mr. MCHUGH, Mr. MANTON, Mr. MANZULLO, Mr. MASCARA, Mr. MICA, Mr. NEY, Mr. NORWOOD, Mr. NUSSLE, Mr. OBERSTAR, Mr. OXLEY, Mr. PACKARD, Mr. PAPPAS, Mr. PARKER, Mr. PAUL, Mr. PAXON, Mr. PETRI, Mr. POSHARD, Mr. QUINN, Mr. RAHALL, Mr. DAN SCHAEFER of Colorado, Mr. SCHIFF, Mr. SENSENBRENNER, Mr. SHAYS, Mr. SHIMKUS, Mr. SKAGGS, Mr. SKEEN, Mr. SKELTON, Mr. SMITH of New Jersey, Mrs. SMITH of Washington, Mr. SNOWBARGER, Mr. SOLOMON, Mr. SOUDER, Mr. STEARNS, Mr. STENHOLM, Mr. STUMP, Mr. TALENT, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TIAHRT, Mr. WAMP, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, and Mr. WICKER) introduced the following bill; which was referred to the Committee on Commerce, and in addition, for a period ending not later than 30 calendar days after the Committee on Commerce reports to the House, to the Committees on Ways and Means, the Judiciary, Education and the Workforce, Government Reform and Oversight, Resources, and International Relations, in each case for con-

sideration of such provisions as fall within the jurisdiction of the committee concerned.

APRIL 8, 1997

Additional sponsors: Mr. BALLENGER, Mr. ENSIGN, Mr. FROST, Mr. HEFLEY, Mr. HULSHOF, Mr. INGLIS of South Carolina, Mr. KLUG, Mr. LAHOOD, Mr. LEWIS of California, Mr. MCKEON, Mr. MORAN of Kansas, Mr. RAMSTAD, Mr. BOB SCHAFFER of Colorado, Mr. STUPAK, and Mr. YOUNG of Alaska

APRIL 8, 1997

Reported from the Committee on Commerce with amendments

[Omit the part struck through and insert the part printed in *italic*]

APRIL 8, 1997

Referral to the Committees on Ways and Means, the Judiciary, Education and the Workforce, Government Reform and Oversight, Resources, and International Relations extended for a period ending no later than April 8, 1997

APRIL 8, 1997

The Committees on Ways and Means, the Judiciary, Education and the Workforce, Government Reform and Oversight, Resources, and International Relations discharged; referred to the Committee of the Whole House on the State of the Union

A BILL

To clarify Federal law with respect to restricting the use
of Federal funds in support of assisted suicide.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Assisted Suicide Funding Restriction Act of 1997”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 2. Findings and purpose.
Sec. 3. Restriction on use of Federal funds under health care programs.
Sec. 4. Restriction on use of Federal funds under certain grant programs under the Developmental Disabilities Assistance and Bill of Rights Act.
Sec. 5. Restriction on use of Federal funds by advocacy programs.
Sec. 6. Restriction on use of other Federal funds.
Sec. 7. Clarification with respect to advance directives.
Sec. 8. Application to District of Columbia.
Sec. 9. Conforming amendments.
Sec. 10. Relation to other laws.
Sec. 11. Effective date.
Sec. 12. *Suicide prevention (including assisted suicide).*

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Federal Government provides financial
4 support for the provision of and payment for health
5 care services, as well as for advocacy activities to
6 protect the rights of individuals.

7 (2) Assisted suicide, euthanasia, and mercy kill-
8 ing have been criminal offenses throughout the Unit-
9 ed States and, under current law, it would be unlaw-
10 ful to provide services in support of such illegal ac-
11 tivities.

12 (3) Because of recent legal developments, it
13 may become lawful in areas of the United States to
14 furnish services in support of such activities.

15 (4) Congress is not providing Federal financial
16 assistance in support of assisted suicide, euthanasia,
17 and mercy killing and intends that Federal funds
18 not be used to promote such activities.

1 (b) PURPOSE.—It is the principal purpose of this Act
2 to continue current Federal policy by providing explicitly
3 that Federal funds may not be used to pay for items and
4 services (including assistance) the purpose of which is to
5 cause (or assist in causing) the suicide, euthanasia, or
6 mercy killing of any individual.

7 **SEC. 3. RESTRICTION ON USE OF FEDERAL FUNDS UNDER**
8 **HEALTH CARE PROGRAMS.**

9 (a) RESTRICTION ON FEDERAL FUNDING OF
10 HEALTH CARE SERVICES.—Subject to subsection (b), no
11 funds appropriated by Congress for the purpose of paying
12 (directly or indirectly) for the provision of health care
13 services may be used—

14 (1) to provide any health care item or service
15 furnished for the purpose of causing, or for the pur-
16 pose of assisting in causing, the death of any indi-
17 vidual, such as by assisted suicide, euthanasia, or
18 mercy killing;

19 (2) to pay (directly, through payment of Fed-
20 eral financial participation or other matching pay-
21 ment, or otherwise) for such an item or service, in-
22 cluding payment of expenses relating to such an
23 item or service; or

24 (3) to pay (in whole or in part) for health bene-
25 fit coverage that includes any coverage of such an

1 item or service or of any expenses relating to such
2 an item or service.

3 (b) CONSTRUCTION AND TREATMENT OF CERTAIN
4 SERVICES.—Nothing in subsection (a), or in any other
5 provision of this Act (or in any amendment made by this
6 Act), shall be construed to ~~create~~ *apply to or to affect* any
7 limitation relating to—

8 (1) the withholding or withdrawing of medical
9 treatment or medical care;

10 (2) the withholding or withdrawing of nutrition
11 or hydration;

12 (3) abortion; or

13 (4) the use of an item, good, benefit, or service
14 furnished for the purpose of alleviating pain or dis-
15 comfort, even if such use may increase the risk of
16 death, so long as such item, good, benefit, or service
17 is not also furnished for the purpose of causing, or
18 the purpose of assisting in causing, death, for any
19 reason.

20 (c) LIMITATION ON FEDERAL FACILITIES AND EM-
21 PLOYEES.—Subject to subsection (b), with respect to
22 health care items and services furnished—

23 (1) by or in a health care facility owned or op-
24 erated by the Federal government, or

1 (2) by any physician or other individual em-
2 ployed by the Federal government to provide health
3 care services within the scope of the physician's or
4 individual's employment,

5 no such item or service may be furnished for the purpose
6 of causing, or for the purpose of assisting in causing, the
7 death of any individual, such as by assisted suicide, eutha-
8 nasia, or mercy killing.

9 (d) LIST OF PROGRAMS TO WHICH RESTRICTIONS
10 APPLY.—

11 (1) FEDERAL HEALTH CARE FUNDING PRO-
12 GRAMS.—Subsection (a) applies to funds appro-
13 priated under or to carry out the following:

14 (A) MEDICARE PROGRAM.—Title XVIII of
15 the Social Security Act.

16 (B) MEDICAID PROGRAM.—Title XIX of
17 the Social Security Act.

18 (C) TITLE XX SOCIAL SERVICES BLOCK
19 GRANT.—Title XX of the Social Security Act.

20 (D) MATERNAL AND CHILD HEALTH
21 BLOCK GRANT PROGRAM.—Title V of the Social
22 Security Act.

23 (E) PUBLIC HEALTH SERVICE ACT.—The
24 Public Health Service Act.

1 (F) INDIAN HEALTH CARE IMPROVEMENT
2 ACT.—The Indian Health Care Improvement
3 Act.

4 (G) FEDERAL EMPLOYEES HEALTH BENE-
5 FITS PROGRAM.—Chapter 89 of title 5, United
6 States Code.

7 (H) MILITARY HEALTH CARE SYSTEM (IN-
8 CLUDING TRICARE AND CHAMPUS PRO-
9 GRAMS).—Chapter 55 of title 10, United States
10 Code.

11 (I) VETERANS MEDICAL CARE.—Chapter
12 17 of title 38, United States Code.

13 (J) HEALTH SERVICES FOR PEACE CORPS
14 VOLUNTEERS.—Section 5(e) of the Peace Corps
15 Act (22 U.S.C. 2504(e)).

16 (K) MEDICAL SERVICES FOR FEDERAL
17 PRISONERS.—Section 4005(a) of title 18, Unit-
18 ed States Code.

19 (2) FEDERAL FACILITIES AND PERSONNEL.—
20 The provisions of subsection (c) apply to facilities
21 and personnel of the following:

22 (A) MILITARY HEALTH CARE SYSTEM.—
23 The Department of Defense operating under
24 chapter 55 of title 10, United States Code.

1 (B) VETERANS MEDICAL CARE.—The Vet-
2 erans Health Administration of the Department
3 of Veterans Affairs.

4 (C) PUBLIC HEALTH SERVICE.—The Pub-
5 lic Health Service.

6 (3) NONEXCLUSIVE LIST.—Nothing in this sub-
7 section shall be construed as limiting the application
8 of subsection (a) to the programs specified in para-
9 graph (1) or the application of subsection (c) to the
10 facilities and personnel specified in paragraph (2).

11 **SEC. 4. RESTRICTION ON USE OF FEDERAL FUNDS UNDER**
12 **CERTAIN GRANT PROGRAMS UNDER THE DE-**
13 **VELOPMENTAL DISABILITIES ASSISTANCE**
14 **AND BILL OF RIGHTS ACT.**

15 Subject to section 3(b) (relating to construction and
16 treatment of certain services), no funds appropriated by
17 Congress to carry out part B, D, or E of the Developmen-
18 tal Disabilities Assistance and Bill of Rights Act may be
19 used to support or fund any program or service which has
20 a purpose of assisting in procuring any item, benefit, or
21 service furnished for the purpose of causing, or the pur-
22 pose of assisting in causing, the death of any individual,
23 such as by assisted suicide, euthanasia, or mercy killing.

1 **SEC. 5. RESTRICTION ON USE OF FEDERAL FUNDS BY AD-**
2 **VOCACY PROGRAMS.**

3 (a) IN GENERAL.—Subject to section 3(b) (relating
4 to construction and treatment of certain services), no
5 funds appropriated by Congress may be used to assist in,
6 to support, or to fund any activity or service which has
7 a purpose of assisting in, or to bring suit or provide any
8 other form of legal assistance for the purpose of—

9 (1) securing or funding any item, benefit, pro-
10 gram, or service furnished for the purpose of caus-
11 ing, or the purpose of assisting in causing, the sui-
12 cide, euthanasia, or mercy killing of any individual;

13 (2) compelling any person, institution, govern-
14 mental entity to provide or fund any item, benefit,
15 program, or service for such purpose; or

16 (3) asserting or advocating a legal right to
17 cause, or to assist in causing, the suicide, eutha-
18 nasia, or mercy killing of any individual.

19 (b) LIST OF PROGRAMS TO WHICH RESTRICTIONS
20 APPLY.—

21 (1) IN GENERAL.—Subsection (a) applies to
22 funds appropriated under or to carry out the follow-
23 ing:

24 (A) PROTECTION AND ADVOCACY SYSTEMS
25 UNDER THE DEVELOPMENTAL DISABILITIES AS-
26 SISTANCE AND BILL OF RIGHTS ACT.—Part C

1 of the Developmental Disabilities Assistance
2 and Bill of Rights Act.

3 (B) PROTECTION AND ADVOCACY SYSTEMS
4 UNDER THE PROTECTION AND ADVOCACY FOR
5 MENTALLY ILL INDIVIDUALS ACT.—The Protec-
6 tion and Advocacy for Mentally Ill Individuals
7 Act of 1986.

8 (C) PROTECTION AND ADVOCACY SYSTEMS
9 UNDER THE REHABILITATION ACT OF 1973.—
10 Section 509 of the Rehabilitation Act of 1973
11 (29 U.S.C. 794e).

12 (D) OMBUDSMAN PROGRAMS UNDER THE
13 OLDER AMERICANS ACT OF 1965.—Ombudsman
14 programs under the Older Americans Act of
15 1965.

16 (E) LEGAL ASSISTANCE.—Legal assistance
17 programs under the Legal Services Corporation
18 Act.

19 (2) NONEXCLUSIVE LIST.—Nothing in this sub-
20 section shall be construed as limiting the application
21 of subsection (a) to the programs specified in para-
22 graph (1).

23 **SEC. 6. RESTRICTION ON USE OF OTHER FEDERAL FUNDS.**

24 (a) IN GENERAL.—Subject to section 3(b) (relating
25 to construction and treatment of certain services) and sub-

1 section (b) of this section, no funds appropriated by the
2 Congress shall be used to provide, procure, furnish, or
3 fund any item, good, benefit, activity, or service, furnished
4 or performed for the purpose of causing, or assisting in
5 causing, the suicide, euthanasia, or mercy killing of any
6 individual.

7 (b) NONDUPLICATION.—Subsection (a) shall not
8 apply to funds to which section 3, 4, or 5 applies, except
9 that subsection (a), rather than section 3, shall apply to
10 funds appropriated to carry out title 10, United States
11 Code (other than chapter 55), title 18, United States Code
12 (other than section 4005(a)), and chapter 37 of title 28,
13 United States Code.

14 **SEC. 7. CLARIFICATION WITH RESPECT TO ADVANCE DI-**
15 **RECTIVES.**

16 Subject to section 3(b) (relating to construction and
17 treatment of certain services), sections 1866(f) and
18 1902(w) of the Social Security Act shall not be con-
19 strued—

20 (1) to require any provider or organization, or
21 any employee of such a provider or organization, to
22 inform or counsel any individual regarding any right
23 to obtain an item or service furnished for the pur-
24 pose of causing, or the purpose of assisting in caus-

1 ing, the death of the individual, such as by assisted
2 suicide, euthanasia, or mercy killing; or

3 (2) to apply to or to affect any requirement
4 with respect to a portion of an advance directive
5 that directs the purposeful causing of, or the pur-
6 poseful assisting in causing, the death of any indi-
7 vidual, such as by assisted suicide, euthanasia, or
8 mercy killing.

9 **SEC. 8. APPLICATION TO DISTRICT OF COLUMBIA.**

10 For purposes of this Act, the term “funds appro-
11 priated by Congress” includes funds appropriated to the
12 District of Columbia pursuant to an authorization of ap-
13 propriations under title V of the District of Columbia Self-
14 Government and Governmental Reorganization Act and
15 the term “Federal government” includes the government
16 of the District of Columbia.

17 **SEC. 9. CONFORMING AMENDMENTS.**

18 (a) **MEDICARE PROGRAM.**—

19 (1) **FUNDING.**—Section 1862(a) of the Social
20 Security Act (42 U.S.C. 1395y(a)) is amended—

21 (A) by striking “or” at the end of para-
22 graph (14);

23 (B) by striking the period at the end of
24 paragraph (15) and inserting “; or”; and

1 (C) by inserting after paragraph (15) the
2 following new paragraph:

3 “(16) in the case in which funds may not be
4 used for such items and services under the Assisted
5 Suicide Funding Restriction Act of 1997.”.

6 (2) ADVANCE DIRECTIVES.—Section 1866(f) of
7 such Act (42 U.S.C. 1395cc(f)) is amended by add-
8 ing at the end the following new paragraph:

9 “(4) For construction relating to this subsection, see
10 section 7 of the Assisted Suicide Funding Restriction Act
11 of 1997 (relating to clarification respecting assisted sui-
12 cide, euthanasia, and mercy killing).”.

13 (b) MEDICAID PROGRAM.—

14 (1) FUNDING.—Section 1903(i) of the Social
15 Security Act (42 U.S.C. 1396b(i)) is amended—

16 (A) by striking “or” at the end of para-
17 graph (14);

18 (B) by striking the period at the end of
19 paragraph (15) and inserting “; or”; and

20 (C) by inserting after paragraph (15) the
21 following new paragraph:

22 “(16) with respect to any amount expended for
23 which funds may not be used under the Assisted
24 Suicide Funding Restriction Act of 1997.”.

1 (2) ADVANCE DIRECTIVES.—Section 1902(w) of
2 such Act (42 U.S.C. 1396a(w)) is amended by add-
3 ing at the end the following new paragraph:

4 “(5) For construction relating to this subsection, see
5 section 7 of the Assisted Suicide Funding Restriction Act
6 of 1997 (relating to clarification respecting assisted sui-
7 cide, euthanasia, and mercy killing).”.

8 (c) TITLE XX BLOCK GRANT PROGRAM.—Section
9 2005(a) of the Social Security Act (42 U.S.C. 1397d(a))
10 is amended—

11 (1) by striking “or” at the end of paragraph
12 (8);

13 (2) by striking the period at the end of para-
14 graph (9) and inserting “; or”; and

15 (3) by adding at the end the following:

16 “(10) in a manner inconsistent with the As-
17 sisted Suicide Funding Restriction Act of 1997.”.

18 (d) MATERNAL AND CHILD HEALTH BLOCK GRANT
19 PROGRAM.—Section 501(a) of the Social Security Act (42
20 U.S.C. 701(a)) is amended by adding at the end the fol-
21 lowing:

22 “Funds appropriated under this section may only be used
23 in a manner consistent with the Assisted Suicide Funding
24 Restriction Act of 1997.”.

1 (e) PUBLIC HEALTH SERVICE ACT.—Title II of the
2 Public Health Service Act (42 U.S.C. 201 et seq.) is
3 amended by adding at the end thereof the following new
4 section:

5 **“SEC. 246. RESTRICTION ON USE OF FUNDS FOR ASSISTED**
6 **SUICIDE, EUTHANASIA, AND MERCY KILLING.**

7 “Appropriations for carrying out the purposes of this
8 Act shall not be used in a manner inconsistent with the
9 Assisted Suicide Funding Restriction Act of 1997.”.

10 (f) INDIAN HEALTH CARE IMPROVEMENT ACT.—
11 Title II of the Indian Health Care Improvement Act (25
12 U.S.C. 1621 et seq.) is amended by adding at the end
13 the following new section:

14 “LIMITATION ON USE OF FUNDS

15 “SEC. 225. Amounts appropriated to carry out this
16 title may not be used in a manner inconsistent with the
17 Assisted Suicide Funding Restriction Act of 1997.”.

18 (g) FEDERAL EMPLOYEES HEALTH BENEFIT PRO-
19 GRAM.—Section 8902 of title 5, United States Code, is
20 amended by adding at the end the following:

21 “(o) A contract may not be made or a plan approved
22 which includes coverage for any benefit, item, or service
23 for which funds may not be used under the Assisted Sui-
24 cide Funding Restriction Act of 1997.”.

25 (h) MILITARY HEALTH CARE PROGRAM.—Section
26 1073 of title 10, United States Code, is amended by add-

1 ing at the end the following: “This chapter shall be admin-
 2 istered consistent with the Assisted Suicide Funding Re-
 3 striction Act of 1997.”.

4 (i) VETERANS’ MEDICAL CARE PROGRAM.—

5 (1) IN GENERAL.—Subchapter I of chapter 17
 6 of title 38, United States Code, is amended by add-
 7 ing at the end the following new section:

8 **“§ 1707. Restriction on use of funds for assisted sui-
 9 cide, euthanasia, or mercy killing**

10 “Funds appropriated to carry out this chapter may
 11 not be used for purposes that are inconsistent with the
 12 Assisted Suicide Funding Restriction Act of 1997.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
 14 tions at the beginning of such chapter is amended
 15 by inserting after the item relating to section 1706
 16 the following new item:

“1707. Restriction on use of funds for assisted suicide, euthanasia, or mercy
 killing.”.

17 (j) HEALTH CARE PROVIDED FOR PEACE CORPS
 18 VOLUNTEERS.—Section 5(e) of the Peace Corps Act (22
 19 U.S.C. 2504(e)) is amended by adding at the end the fol-
 20 lowing: “Health care may not be provided under this sub-
 21 section in a manner inconsistent with the Assisted Suicide
 22 Funding Restriction Act of 1997.”.

23 (k) MEDICAL SERVICES FOR FEDERAL PRIS-
 24 ONERS.—Section 4005(a) of title 18, United States Code,

1 is amended by inserting “and to the extent consistent with
2 the Assisted Suicide Funding Restriction Act of 1997”
3 after “Upon request of the Attorney General”.

4 (1) DEVELOPMENTAL DISABILITIES AND BILL OF
5 RIGHTS ACT.—

6 (1) STATE PLANS REGARDING DEVELOPMENTAL
7 DISABILITIES COUNCILS.—Section 122(c)(5)(A) of
8 the Developmental Disabilities Assistance and Bill of
9 Rights Act (42 U.S.C. 6022(c)(5)(A)) is amended—

10 (A) in clause (vi), by striking “and” after
11 the semicolon at the end;

12 (B) in clause (vii), by striking the period
13 at the end and inserting “; and”; and

14 (C) by adding at the end the following
15 clause:

16 “(viii) such funds will be used consist-
17 ent with the section 4 of the Assisted Sui-
18 cide Funding Restriction Act of 1997.”.

19 (2) LEGAL ACTIONS BY PROTECTION AND AD-
20 VOCACY SYSTEMS.—Section 142(h) of such Act (42
21 U.S.C. 6042(h)) is amended by adding at the end
22 the following new paragraph:

23 “(3) LIMITATION.—The systems may only use
24 assistance provided under this chapter consistent

1 with section 5 of the Assisted Suicide Funding Re-
2 striction Act of 1997.”.

3 (3) UNIVERSITY AFFILIATED PROGRAMS.—Sec-
4 tion 152(b)(5) of such Act (42 U.S.C. 6062(b)(5))
5 is amended by adding at the end the following:
6 “Such grants shall not be used in a manner incon-
7 sistent with section 4 of the Assisted Suicide Fund-
8 ing Restriction Act of 1997.”.

9 (4) GRANTS OF NATIONAL SIGNIFICANCE.—Sec-
10 tion 162(e) of such Act (42 U.S.C. 6082(e)) is
11 amended—

12 (A) by striking “and” at the end of para-
13 graph (4),

14 (B) by striking the period at the end of
15 paragraph (5) and inserting “; and”, and

16 (C) by adding at the end the following new
17 paragraph:

18 “(6) the applicant provides assurances that the
19 grant will not be used in a manner inconsistent with
20 section 4 of the Assisted Suicide Funding Restric-
21 tion Act of 1997.”.

22 (m) PROTECTION AND ADVOCACY FOR MENTALLY
23 ILL INDIVIDUALS ACT OF 1986.—Section 105(a) of the
24 Protection and Advocacy for Mentally Ill Individuals Act
25 of 1986 (42 U.S.C. 10805(a)) is amended—

1 (1) in paragraph (8), by striking “and” at the
2 end;

3 (2) in paragraph (9), by striking the period and
4 inserting “; and”; and

5 (3) by adding at the end thereof the following
6 new paragraph:

7 “(10) not use allotments provided to a system
8 in a manner inconsistent with section 5 of the As-
9 sisted Suicide Funding Restriction Act of 1997.”.

10 (n) PROTECTION AND ADVOCACY SYSTEMS UNDER
11 THE REHABILITATION ACT OF 1973.—Section 509(f) of
12 the Rehabilitation Act of 1973 (29 U.S.C. 794e(f)) is
13 amended—

14 (1) in paragraph (6), by striking “and” after
15 the semicolon at the end;

16 (2) in paragraph (7), by striking the period at
17 the end and inserting “; and”; and

18 (3) by adding at the end the following para-
19 graph:

20 “(8) not use allotments provided under this sec-
21 tion in a manner inconsistent with section 5 of the
22 Assisted Suicide Funding Restriction Act of 1997.”.

23 (o) OLDER AMERICANS ACT OF 1965.—Title VII of
24 the Older Americans Act of 1965 is amended by adding
25 at the end the following new section:

1 **“SEC. 765. FUNDING LIMITATION.**

2 “Funds provided under this title may not be used in
3 a manner inconsistent with the Assisted Suicide Funding
4 Restriction Act of 1997.”.

5 (p) **LEGAL SERVICES PROGRAM.**—Section 1007(b) of
6 the Legal Services Corporation Act (42 U.S.C. 2996f(b))
7 is amended—

8 (1) by striking “or” at the end of paragraph
9 (9);

10 (2) by striking the period at the end of para-
11 graph (10) and inserting “; or”; and

12 (3) by adding after paragraph (10) the follow-
13 ing:

14 “(11) to provide legal assistance in a manner
15 inconsistent with the Assisted Suicide Funding Re-
16 striction Act of 1997.”.

17 (q) **CONSTRUCTION ON CONFORMING AMEND-**
18 **MENTS.**—The fact that a law is not amended under this
19 section shall not be construed as indicating that the provi-
20 sions of this Act do not apply to such a law.

21 **SEC. 10. RELATION TO OTHER LAWS.**

22 The provisions of this Act supersede other Federal
23 laws (including laws enacted after the date of the enact-
24 ment of this Act) except to the extent such laws specifi-
25 cally supersede the provisions of this Act.

1 **SEC. 11. EFFECTIVE DATE.**

2 (a) IN GENERAL.— The provisions of this Act (and
3 the amendments made by this Act) take effect upon its
4 enactment and apply, subject to subsection (b), to Federal
5 payments made pursuant to obligations incurred after the
6 date of the enactment of this Act for items and services
7 provided on or after such date.

8 (b) APPLICATION TO CONTRACTS.—Such provisions
9 shall apply with respect to contracts entered into, renewed,
10 or extended after the date of the enactment of this Act
11 and shall also apply to a contract entered into before such
12 date to the extent permitted under such contract.

13 **SEC. 12. SUICIDE PREVENTION (INCLUDING ASSISTED SUI-**
14 **CIDE).**

15 (a) *PURPOSE.*—*The purpose of this section is to reduce*
16 *the rate of suicide (including assisted suicide) among per-*
17 *sons with disabilities or terminal or chronic illness by fur-*
18 *thering knowledge and practice of pain management, de-*
19 *pression identification and treatment, and issues related to*
20 *palliative care and suicide prevention.*

21 (b) *RESEARCH AND DEMONSTRATION PROJECTS.*—
22 *Section 781 of the Public Health Service Act (42 U.S.C.*
23 *295) is amended—*

24 (1) *by redesignating subsection (e) as subsection*
25 *(f); and*

1 (2) by inserting after subsection (d) the following
2 new subsection:

3 “(e) *RESEARCH AND DEMONSTRATION PROJECTS ON*
4 *SUICIDE PREVENTION (INCLUDING ASSISTED SUICIDE).*—

5 “(1) *RESEARCH.*—*The Secretary may make*
6 *grants to and enter into contracts with public and*
7 *private entities for conducting research intended to*
8 *reduce the rate of suicide (including assisted suicide)*
9 *among persons with disabilities or terminal or chron-*
10 *ic illness. The Secretary shall give preference to re-*
11 *search that aims—*

12 “(A) *to assess the quality of care received by*
13 *patients with disabilities or terminal or chronic*
14 *illness by measuring and reporting specific out-*
15 *comes;*

16 “(B) *to compare coordinated health care*
17 *(which may include coordinated rehabilitation*
18 *services, symptom control, psychological support,*
19 *and community-based support services) to tradi-*
20 *tional health care delivery systems; or*

21 “(C) *to advance biomedical knowledge of*
22 *pain management.*

23 “(2) *TRAINING.*—*The Secretary may make*
24 *grants and enter into contracts to assist public and*
25 *private entities, schools, academic health science cen-*

1 *ters, and hospitals in meeting the costs of projects in-*
2 *tended to reduce the rate of suicide (including assisted*
3 *suicide) among persons with disabilities or terminal*
4 *or chronic illness. The Secretary shall give preference*
5 *to qualified projects that will—*

6 *“(A) train health care practitioners in pain*
7 *management, depression identification and treat-*
8 *ment, and issues related to palliative care and*
9 *suicide prevention;*

10 *“(B) train the faculty of health professions*
11 *schools in pain management, depression identi-*
12 *fication and treatment, and issues related to pal-*
13 *liative care and suicide prevention; or*

14 *“(C) develop and implement curricula re-*
15 *garding disability issues, including living with*
16 *disabilities, living with chronic or terminal ill-*
17 *ness, attendant and personal care, assistive tech-*
18 *nology, and social support services.*

19 *“(3) DEMONSTRATION PROJECTS.—The Sec-*
20 *retary may make grants to and enter into contracts*
21 *with public and nonprofit private entities for the pur-*
22 *pose of conducting demonstration projects that will—*

23 *“(A) reduce restrictions on access to hospice*
24 *programs; or*

1 “(B) fund home health care services, com-
2 munity living arrangements, and attendant care
3 services.

4 “(4) *PALLIATIVE MEDICINE.*—The Secretary
5 shall emphasize palliative medicine among its fund-
6 ing and research priorities.”.

7 (c) *REPORT BY GENERAL ACCOUNTING OFFICE.*—Not
8 later than 1 year after the date of enactment of this Act,
9 the Comptroller General of the United States shall submit
10 to the Congress a report providing an assessment of pro-
11 grams under subsection (e) of section 781 of the Public
12 Health Service Act (as added by subsection (b) of this sec-
13 tion) to conduct research, provide training, and develop
14 curricula and of the curricula offered and used by schools
15 of medicine and osteopathic medicine in pain management,
16 depression identification and treatment, and issues related
17 to palliative care and suicide prevention. The purpose of
18 the assessment shall be to determine the extent to which such
19 programs have furthered knowledge and practice of pain
20 management, depression identification and treatment, and
21 issues related to palliative care and suicide prevention.

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