

106TH CONGRESS  
1ST SESSION

# H. R. 3248

To amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to information on the human papillomavirus (commonly known as HPV).

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 1999

Mr. COBURN (for himself and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to information on the human papillomavirus (commonly known as HPV).

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 “Protecting Women’s  
5 Health Act of 1999”.

1 **SEC. 2. HUMAN PAPILLOMAVIRUS; ACTIVITIES OF CENTERS**  
2 **FOR DISEASE CONTROL AND PREVENTION.**

3 Part B of title III of the Public Health Service Act  
4 (42 U.S.C. 243 et seq.) is amended by inserting after sec-  
5 tion 317G the following section:

6 “HUMAN PAPILLOMAVIRUS

7 “SEC. 317H. (a) SURVEILLANCE.—

8 “(1) IN GENERAL.—The Secretary, acting  
9 through the Director of the Centers for Disease  
10 Control and Prevention, shall—

11 “(A) enter into cooperative agreements  
12 with States and other entities to conduct sen-  
13 tinel surveillance or other special studies that  
14 would determine the prevalence in various age  
15 groups and populations of specific types of  
16 human papillomavirus (referred to in this sec-  
17 tion as ‘HPV’) in different sites in various re-  
18 gions of the United States, through collection of  
19 special specimens for HPV using a variety of  
20 laboratory-based testing and diagnostic tools;  
21 and

22 “(B) develop and analyze data from the  
23 HPV sentinel surveillance system described in  
24 subparagraph (A).

25 “(2) REPORT.—The Secretary shall make a  
26 progress report to the Congress with respect to

1 paragraph (1) not later than one year after the ef-  
2 fective date of this section.

3 “(b) PREVENTION ACTIVITIES; EDUCATION PRO-  
4 GRAM.—

5 “(1) IN GENERAL.—The Secretary, acting  
6 through the Director of the Centers for Disease  
7 Control and Prevention, shall conduct prevention re-  
8 search on HPV, including—

9 “(A) behavioral and other research on the  
10 impact of HPV-related diagnoses on individuals;

11 “(B) formative research to assist with the  
12 development of educational messages and infor-  
13 mation for the public, for patients, and for their  
14 partners about HPV;

15 “(C) surveys of physician and public  
16 knowledge, attitudes, and practices about gen-  
17 ital HPV infection; and

18 “(D) upon the completion of and based on  
19 the findings under subparagraphs (A) through  
20 (C), develop and disseminate educational mate-  
21 rials for the public and health care providers re-  
22 garding HPV and its impact and prevention.

23 “(2) REPORT; FINAL PROPOSAL.—The Sec-  
24 retary shall make a progress report to the Congress  
25 with respect to paragraph (1) not later than one

1 year after the effective date of this section, and shall  
2 develop a final proposal not later than two years  
3 after such effective date, including a detailed sum-  
4 mary of the significant findings and problems. The  
5 report shall outline the further steps needed to make  
6 HPV a reportable disease and the best strategies to  
7 prevent future infections.

8 “(c) CONDOM EFFECTIVENESS; EDUCATION.—The  
9 Secretary shall require that the Department of Health and  
10 Human Services and all contractors, grantees, and sub-  
11 grantees of such Department specifically state the effec-  
12 tiveness or lack of effectiveness of condoms in preventing  
13 the transmission of HPV, herpes, and other sexually  
14 transmitted diseases in all informational materials related  
15 to condoms or sexually transmitted diseases that are made  
16 available to the public. The Secretary shall assure that  
17 such information is made available to relevant operating  
18 divisions and offices of the Department of Health and  
19 Human Services. This subsection shall be effective within  
20 6 months of the date of its enactment.”.

21 **SEC. 3. LABELING OF CONDOMS WITH RESPECT TO HUMAN**  
22 **PAPILLOMAVIRUS.**

23 (a) IN GENERAL.—Section 502 of the Federal Food,  
24 Drug, and Cosmetic Act (21 U.S.C. 352) is amended by  
25 adding at the end the following:

1       “(u) If it is a condom, unless its label and labeling  
2 bear information providing that condoms do not effectively  
3 prevent the transmission of the human papillomavirus and  
4 that such virus can cause cervical cancer.”.

5       (b) APPLICABILITY.—The amendment made by sub-  
6 section (a) applies to condoms manufactured on or after  
7 the expiration of the 180-day period beginning on the date  
8 of the enactment of this Act.

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