

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3253

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IN THE SENATE OF THE UNITED STATES

MAY 21, 2002

Received; read twice and referred to the Committee on Veterans' Affairs

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## AN ACT

To amend title 38, United States Code, to provide for the establishment within the Department of Veterans Affairs of improved emergency medical preparedness, research, and education programs to combat terrorism, 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,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Department of Vet-  
5 erans Affairs Emergency Preparedness Research, Edu-  
6 cation, and Bio-Terrorism Prevention Act of 2002”.

7 **SEC. 2. ESTABLISHMENT OF EMERGENCY MEDICAL PRE-**  
8 **PAREDNESS CENTERS.**

9       (a) IN GENERAL.—Subchapter II of chapter 73 of  
10 title 38, United States Code, is amended by adding at the  
11 end the following new section:

12 **“§ 7325. Medical emergency preparedness centers**

13       “(a) ESTABLISHMENT OF CENTERS.—(1) The Sec-  
14 retary shall establish at least four medical emergency pre-  
15 paredness centers in accordance with this section. Each  
16 such center shall be established at a Department medical  
17 center and shall be staffed by Department employees.

18       “(2) The Under Secretary for Health shall be respon-  
19 sible for supervising the operation of the centers estab-  
20 lished pursuant to this section. The Under Secretary shall  
21 provide for ongoing evaluation of the centers and their  
22 compliance with the requirements of this section.

23       “(3) The Under Secretary shall carry out the Under  
24 Secretary’s functions under paragraph (2) in consultation

1 with the Assistant Secretary for Veterans Affairs with re-  
2 sponsibility for operations, preparedness, and security.

3 “(b) MISSION.—The mission of the centers shall be—

4 “(1) to carry out research on and develop meth-  
5 ods of detection, diagnosis, vaccination, protection,  
6 and treatment for chemical, biological, and radio-  
7 logical threats to the public health and safety;

8 “(2) to provide education, training, and advice  
9 to health-care professionals, including health-care  
10 professionals outside the Veterans Health Adminis-  
11 tration; and

12 “(3) to provide contingent rapid response lab-  
13 oratory assistance and other assistance to local  
14 health care authorities in the event of a national  
15 emergency.

16 “(c) CENTER DIRECTORS.—Each center shall have a  
17 Director with (1) expertise in managing organizations that  
18 deal with threats referred to in subsection (b), (2) exper-  
19 tise in providing care to populations exposed to toxic sub-  
20 stances, or (3) significant research experience in those  
21 fields.

22 “(d) SELECTION OF CENTERS.—(1) The Secretary  
23 shall select the sites for the centers on the basis of a com-  
24 petitive selection process and a finding under paragraph  
25 (2). The centers selected shall be located in different re-

1 gions of the Nation, and any such center may be a consor-  
2 tium of efforts of more than one medical center. At least  
3 one of the centers shall be established to concentrate on  
4 chemical threats, at least one shall be established to con-  
5 centrate on biological threats, and at least one shall be  
6 established to concentrate on radiological threats.

7       “(2) The finding referred to in paragraph (1) with  
8 respect to a proposal for designation of a site as a location  
9 of a center under this section is a finding by the Secretary,  
10 upon the recommendations of the Under Secretary for  
11 Health and the Assistant Secretary with responsibility for  
12 operations, preparedness, and security, that the facility or  
13 facilities submitting the proposal have developed (or may  
14 reasonably be anticipated to develop) each of the following:

15           “(A) An arrangement with a qualifying medical  
16 school and a qualifying school of public health (or a  
17 consortium of such schools) under which physicians  
18 and other persons in the health field receive edu-  
19 cation and training through the participating De-  
20 partment medical centers so as to provide those per-  
21 sons with training in the diagnosis and treatment of  
22 illnesses induced by exposures to toxins, including  
23 chemical and biological substances and nuclear ion-  
24 izing radiation.

1           “(B) An arrangement with an accredited grad-  
2           uate program of epidemiology under which students  
3           receive education and training in epidemiology  
4           through the participating Department facilities so as  
5           to provide such students with training in the epide-  
6           miology of contagious and infectious diseases and  
7           chemical and radiation poisoning in an exposed pop-  
8           ulation.

9           “(C) An arrangement under which nursing, so-  
10          cial work, counseling, or allied health personnel and  
11          students receive training and education in recog-  
12          nizing and caring for conditions associated with ex-  
13          posures to toxins through the participating Depart-  
14          ment facilities.

15          “(D) The ability to attract scientists who have  
16          made significant contributions to the development of  
17          innovative approaches to the detection, diagnosis,  
18          vaccination, protection, or treatment of persons ex-  
19          posed to chemical, biological, or radiological sub-  
20          stances.

21          “(3) For purposes of paragraph (2)(A)—

22                 “(A) a qualifying medical school is an accred-  
23                 ited medical school that provides education and  
24                 training in toxicology and environmental health haz-

1 ards and with which one or more of the participating  
2 Department medical centers is affiliated; and

3 “(B) a qualifying school of public health is an  
4 accredited school of public health that provides edu-  
5 cation and training in toxicology and environmental  
6 health hazards and with which one or more of the  
7 participating Department medical centers is affili-  
8 ated.

9 “(e) FUNDING.—(1) Amounts appropriated for the  
10 activities of the centers shall be appropriated separately  
11 from amounts appropriated for the Department for med-  
12 ical care.

13 “(2) There are authorized to be appropriated for the  
14 centers under this section \$20,000,000 for each of fiscal  
15 years 2003 through 2007.

16 “(3) In addition to funds appropriated for a fiscal  
17 year pursuant to the authorization of appropriations in  
18 paragraph (2), the Under Secretary for Health shall allo-  
19 cate to such centers from other funds appropriated for  
20 that fiscal year generally for the Department of Veterans  
21 Affairs medical care account and the Department of Vet-  
22 erans Affairs medical and prosthetics research account  
23 such amounts as the Under Secretary for Health deter-  
24 mines appropriate to carry out the purposes of this sec-  
25 tion. Any determination by the Under Secretary under the

1 preceding sentence shall be made in consultation with the  
2 Assistant Secretary with responsibility for operations, pre-  
3 paredness, and security.

4 “(f) RESEARCH ACTIVITIES.—Each center shall con-  
5 duct research on improved medical preparedness to protect  
6 the Nation from threats in the area of that center’s exper-  
7 tise. Each center may seek research funds from public and  
8 private sources for such purpose.

9 “(g) PEER REVIEW PANEL.—(1) In order to provide  
10 advice to assist the Secretary and the Under Secretary for  
11 Health to carry out their responsibilities under this sec-  
12 tion, the Under Secretary shall establish a peer review  
13 panel to assess the scientific and clinical merit of pro-  
14 posals that are submitted to the Secretary for the designa-  
15 tion of centers under this section. The peer review shall  
16 be established in consultation with the Assistant Secretary  
17 with responsibility for operations, preparedness, and secu-  
18 rity.

19 “(2) The peer review panel shall include experts in  
20 the fields of toxicological research, bio-hazards manage-  
21 ment education and training, radiology, clinical care of pa-  
22 tients exposed to such hazards, and other persons as de-  
23 termined appropriate by the Secretary. Members of the  
24 panel shall serve as consultants to the Department.

1       “(3) The panel shall review each proposal submitted  
2 to the panel by the officials referred to in paragraph (1)  
3 and shall submit to the Under Secretary for Health its  
4 views on the relative scientific and clinical merit of each  
5 such proposal. The panel shall specifically determine with  
6 respect to each such proposal whether that proposal is  
7 among those proposals which have met the highest com-  
8 petitive standards of scientific and clinical merit.

9       “(4) The panel shall not be subject to the Federal  
10 Advisory Committee Act (5 U.S.C. App.).

11       “(h) RESEARCH PRODUCTS.—(1) The Under Sec-  
12 retary for Health and the Assistant Secretary with respon-  
13 sibility for operations, preparedness, and security shall en-  
14 sure that information produced by the research, education  
15 and training, and clinical activities of centers established  
16 under this section is made available, as appropriate, to  
17 health-care providers in the United States. Dissemination  
18 of such information shall be made through publications,  
19 through programs of continuing medical and related edu-  
20 cation provided through regional medical education cen-  
21 ters under subchapter VI of chapter 74 of this title, and  
22 through other means. Such programs of continuing med-  
23 ical education shall receive priority in the award of fund-  
24 ing.

1       “(2) The Secretary shall ensure that the work of the  
2 centers is conducted in close coordination with other Fed-  
3 eral departments and agencies and that research products  
4 or other information of the centers shall be coordinated  
5 and shared with other Federal departments and agencies.

6       “(i) ASSISTANCE TO OTHER AGENCIES.—The Sec-  
7 retary may provide assistance requested by appropriate  
8 Federal, State, and local civil and criminal authorities in  
9 investigations, inquiries, and data analyses as necessary  
10 to protect the public safety and prevent or obviate biologi-  
11 cal, chemical, or radiological threats.

12       “(j) DETAIL OF EMPLOYEES FROM OTHER AGEN-  
13 CIES.—Upon approval by the Secretary, the Director of  
14 a center may request the temporary assignment or detail  
15 to the center, on a nonreimbursable basis, of employees  
16 from other Departments and agencies of the United States  
17 who have expertise that would further the mission of the  
18 center. Any such employee may be so assigned or detailed  
19 on a nonreimbursable basis pursuant to such a request.  
20 The duration of any such assignment or detail shall be  
21 subject to approval by the Office of Personnel Manage-  
22 ment.”.

23       “(b) CLERICAL AMENDMENT.—The table of sections  
24 at the beginning of such chapter is amended by inserting

1 after the item relating to section 7324 the following new  
2 item:

“7325. Medical emergency preparedness centers.”.

3 **SEC. 3. ESTABLISHMENT OF EMERGENCY MEDICAL EDU-**  
4 **CATION PROGRAM.**

5 (a) IN GENERAL.—(1) Subchapter II of chapter 73  
6 of title 38, United States Code, is amended by adding  
7 after section 7325, as added by section 2(a), the following  
8 new section:

9 **“§ 7326. Emergency health and medical education**

10 “(a) EDUCATION PROGRAM.—The Secretary shall  
11 carry out a program to develop and disseminate a series  
12 of model education and training programs on the medical  
13 responses to the consequences of terrorist activities.

14 “(b) IMPLEMENTING ENTITY.—The program shall be  
15 carried out through the Under Secretary for Health, in  
16 consultation with the Assistant Secretary of Veterans Af-  
17 fairs with responsibility for operations, preparedness, and  
18 security.

19 “(c) CONTENT OF PROGRAMS.—The education and  
20 training programs developed under the program shall be  
21 modelled after programs established at the F. Edward  
22 Hébert School of Medicine of the Uniformed Services Uni-  
23 versity of the Health Sciences and shall include, at a min-  
24 imum, training for health care professionals in the fol-  
25 lowing:

1           “(1) Recognition of chemical, biological, and ra-  
2           diological agents that may be used in terrorist activi-  
3           ties.

4           “(2) Identification of the potential symptoms of  
5           those agents.

6           “(3) Understanding of the potential long-term  
7           health consequences, including psychological effects,  
8           resulting from exposure to those agents.

9           “(4) Emergency treatment for exposure to  
10          those agents.

11          “(5) An appropriate course of followup treat-  
12          ment, supportive care, and referral.

13          “(6) Actions that can be taken while providing  
14          care for exposure to those agents to protect against  
15          contamination.

16          “(7) Information on how to seek consultative  
17          support and to report suspected or actual use of  
18          those agents.

19          “(d) POTENTIAL TRAINEES.—In designing the edu-  
20          cation and training programs under this section, the Sec-  
21          retary shall ensure that different programs are designed  
22          for health-care professionals at various levels. The pro-  
23          grams shall be designed to be disseminated to health pro-  
24          fessions students, graduate health and medical education  
25          trainees, and health practitioners in a variety of fields.

1       “(e) CONSULTATION.—In establishing the education  
2 and training program under this section, the Secretary  
3 shall consult with appropriate representatives of accred-  
4 iting, certifying, and coordinating organizations in the  
5 field of health professions education.”.

6       (2) The table of sections at the beginning of such  
7 chapter is amended by inserting after the item relating  
8 to section 7325, as added by section 2(b), the following  
9 new item:

“7326. Emergency health and medical education.”.

10       (b) EFFECTIVE DATE.—The Secretary of Veterans  
11 Affairs shall implement section 7326 of title 38, United  
12 States Code, as added by subsection (a), not later than  
13 the end of the 90-day period beginning on the date of the  
14 enactment of this Act.

15 **SEC. 4. INCREASE IN NUMBER OF ASSISTANT SECRETARIES**  
16 **OF VETERANS AFFAIRS.**

17       (a) INCREASE.—Subsection (a) of section 308 of title  
18 38, United States Code, is amended by striking “six” in  
19 the first sentence and inserting “seven”.

20       (b) FUNCTIONS.—subsection (b) of such section is  
21 amended by adding at the end the following new para-  
22 graph:

23               “(11) Operations, preparedness, security, and  
24 law enforcement functions.”.

1       (c) CONFORMING AMENDMENT.—Section 5315 of  
2 title 5, United States Code, is amended by striking “(6)”  
3 after “Assistant Secretaries, Department of Veterans Af-  
4 fairs” and inserting “(7)”.

Passed the House of Representatives May 20, 2002.

Attest:

JEFF TRANDAHL,

*Clerk.*