

Union Calendar No. 260

108TH CONGRESS
2D SESSION

H. R. 3658

[Report No. 108-453]

To amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2003

Mrs. CAPPS (for herself, Mr. PICKERING, Mr. DINGELL, Mr. BARTON of Texas, Mr. BROWN of Ohio, Mr. DEAL of Georgia, Mr. WAXMAN, Mr. SHIMKUS, Mr. PALLONE, Mr. GORDON, Mr. ENGEL, Mr. WYNN, Mr. GREEN of Texas, Mr. DOYLE, Mr. ALLEN, Ms. SCHAKOWSKY, and Ms. SOLIS) introduced the following bill; which was referred to the Committee on Energy and Commerce

MARCH 30, 2004

Additional sponsors: Mr. NORWOOD, Mr. DAVIS OF FLORIDA, Mr. YOUNG of Florida, Mr. TOWNS, Mr. ISAKSON, Mr. DAVIS of Illinois, Ms. ESHOO, Mr. LEACH, Mr. STARK, Mr. JOHN, Mr. KENNEDY of Rhode Island, Mr. FORD, Mr. MCNULTY, Mr. GRIJALVA, Mr. ACEVEDO-VILÁ, Ms. KAPTUR, Mr. LANTOS, Mr. UDALL of New Mexico, Mr. SNYDER, Mr. KIND, Mr. CUMMINGS, Mr. HALL, Mr. WALSH, Mr. TANNER, Mr. WEXLER, Mr. TURNER of Texas, Mr. LUCAS of Kentucky, Mr. SMITH of New Jersey, Mr. FROST, Mr. TERRY, Mr. LYNCH, Mr. STRICKLAND, Mr. PRICE of North Carolina, Mr. MOORE, Mr. SANDLIN, Mr. SCHIFF, Ms. BALDWIN, Mr. BURR, Mr. FOSSELLA, Mr. STENHOLM, Mr. LAHOOD, Mr. VAN HOLLEN, Mr. RAMSTAD, Mr. NETHERCUTT, Mrs. CHRISTENSEN, Mr. QUINN, Mr. FRANK of Massachusetts, Mr. ROTHMAN, Mr. JACKSON of Illinois, Mr. BALLANCE, Mr. MATHESON, Ms. MCCOLLUM, Mr. HULSHOF, Mr. MEEHAN, Mr. HOLDEN, Mr. WU, Mr. TAYLOR of Mississippi, Mr. HINCHEY, Mr. GEORGE MILLER of California, Mr. LINDER, Mr. KILDEE, Mr. SERRANO, Mrs. NAPOLITANO, Mr. LANGEVIN, Mr. WALDEN of Oregon, Ms. WOOLSEY, Mr. EMANUEL, Mr. BOSWELL, Mr. ISSA, Mr. KING of New York, Mr. HOEFFEL, Mr. McDERMOTT, Mr. BISHOP of Georgia, Mr. BURNS, Mr. SANDERS, Mr. PUTNAM, Mr. INSLEE, Mr. OWENS, Mr. JENKINS, Mr. ROSS, Mr. NADLER, Mr. DOGGETT,

Mr. CLAY, Mr. ROGERS of Michigan, Mr. LOBIONDO, Ms. DELAURO, Mr. LEVIN, Ms. MCCARTHY of Missouri, Mr. GONZALEZ, Mr. LARSON of Connecticut, Mr. FOLEY, Mr. PAYNE, Mr. HINOJOSA, Mr. HONDA, Mrs. TAUSCHER, Mr. FILNER, Mr. SKELTON, Mr. CRAMER, Mr. VISCLOSKY, Ms. BERKLEY, Mr. RODRIGUEZ, Mr. SESSIONS, Mr. PETERSON of Minnesota, Mr. BOEHLERT, Mr. SPRATT, Mrs. KELLY, Mr. LINCOLN DIAZ-BALART of Florida, Mrs. DAVIS of California, and Mr. DAVIS of Tennessee

MARCH 30, 2004

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on December 8, 2003]

A BILL

To amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke, 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 “Stroke Treatment and*
 5 *Ongoing Prevention Act”.*

6 **SEC. 2. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT RE-**
 7 **GARDING STROKE PROGRAMS.**

8 (a) *STROKE EDUCATION AND INFORMATION PRO-*
 9 *GRAMS.—Title III of the Public Health Service Act (42*
 10 *U.S.C. 241 et seq.) is amended by adding at the end the*
 11 *following:*

1 **“PART R—STROKE EDUCATION, INFORMATION,**
2 **AND DATA COLLECTION PROGRAMS**
3 **“SEC. 399AA. STROKE PREVENTION AND EDUCATION CAM-**
4 **PAIGN.**

5 “(a) *IN GENERAL.*—*The Secretary shall carry out an*
6 *education and information campaign to promote stroke pre-*
7 *vention and increase the number of stroke patients who seek*
8 *immediate treatment.*

9 “(b) *AUTHORIZED ACTIVITIES.*—*In implementing the*
10 *education and information campaign under subsection (a),*
11 *the Secretary may—*

12 “(1) *make public service announcements about*
13 *the warning signs of stroke and the importance of*
14 *treating stroke as a medical emergency;*

15 “(2) *provide education regarding ways to pre-*
16 *vent stroke and the effectiveness of stroke treatment;*
17 *and*

18 “(3) *carry out other activities that the Secretary*
19 *determines will promote prevention practices among*
20 *the general public and increase the number of stroke*
21 *patients who seek immediate care.*

22 “(c) *MEASUREMENTS.*—*In implementing the edu-*
23 *cation and information campaign under subsection (a), the*
24 *Secretary shall—*

25 “(1) *measure public awareness before the start of*
26 *the campaign to provide baseline data that will be*

1 *used to evaluate the effectiveness of the public aware-*
2 *ness efforts;*

3 “(2) *establish quantitative benchmarks to meas-*
4 *ure the impact of the campaign over time; and*

5 “(3) *measure the impact of the campaign not less*
6 *than once every 2 years or, if determined appropriate*
7 *by the Secretary, at shorter intervals.*

8 “(d) **NO DUPLICATION OF EFFORT.**—*In carrying out*
9 *this section, the Secretary shall avoid duplicating existing*
10 *stroke education efforts by other Federal Government agen-*
11 *cies.*

12 “(e) **CONSULTATION.**—*In carrying out this section, the*
13 *Secretary may consult with organizations and individuals*
14 *with expertise in stroke prevention, diagnosis, treatment,*
15 *and rehabilitation.*

16 **“SEC. 399BB. PAUL COVERDELL NATIONAL ACUTE STROKE**
17 **REGISTRY AND CLEARINGHOUSE.**

18 *“The Secretary, acting through the Centers for Disease*
19 *Control and Prevention, shall maintain the Paul Coverdell*
20 *National Acute Stroke Registry and Clearinghouse by—*

21 “(1) *continuing to develop and collect specific*
22 *data points and appropriate benchmarks for ana-*
23 *lyzing care of acute stroke patients;*

24 “(2) *collecting, compiling, and disseminating in-*
25 *formation on the achievements of, and problems expe-*

1 *rienced by, State and local agencies and private enti-*
2 *ties in developing and implementing emergency med-*
3 *ical systems and hospital-based quality of care inter-*
4 *ventions; and*

5 *“(3) carrying out any other activities the Sec-*
6 *retary determines to be useful to maintain the Paul*
7 *Coverdell National Acute Stroke Registry and Clear-*
8 *inghouse to reflect the latest advances in all forms of*
9 *stroke care.*

10 **“SEC. 399CC. STROKE DEFINITION.**

11 *“For purposes of this part, the term ‘stroke’ means a*
12 *‘brain attack’ in which blood flow to the brain is inter-*
13 *rupted or in which a blood vessel or aneurysm in the brain*
14 *breaks or ruptures.*

15 **“SEC. 399DD. AUTHORIZATION OF APPROPRIATIONS.**

16 *“There is authorized to be appropriated to carry out*
17 *this part \$5,000,000 for each of fiscal years 2005 through*
18 *2009.”.*

19 *(b) EMERGENCY MEDICAL PROFESSIONAL DEVELOP-*
20 *MENT.—Section 1251 of the Public Health Service Act (42*
21 *U.S.C. 300d–51) is amended to read as follows:*

1 **“SEC. 1251. MEDICAL PROFESSIONAL DEVELOPMENT IN AD-**
2 **VANCED STROKE AND TRAUMATIC INJURY**
3 **TREATMENT AND PREVENTION.**

4 *“(a) RESIDENCY AND OTHER PROFESSIONAL TRAIN-*
5 *ING.—The Secretary may make grants to public and non-*
6 *profit entities for the purpose of planning, developing, and*
7 *enhancing approved residency training programs and other*
8 *professional training for appropriate health professions in*
9 *emergency medicine, including emergency medical services*
10 *professionals, to improve stroke and traumatic injury pre-*
11 *vention, diagnosis, treatment, and rehabilitation.*

12 *“(b) CONTINUING EDUCATION ON STROKE AND TRAU-*
13 *MATIC INJURY.—*

14 *“(1) GRANTS.—The Secretary, acting through*
15 *the Administrator of the Health Resources and Serv-*
16 *ices Administration, may make grants to qualified*
17 *entities for the development and implementation of*
18 *education programs for appropriate health care pro-*
19 *fessionals in the use of newly developed diagnostic ap-*
20 *proaches, technologies, and therapies for health profes-*
21 *sionals involved in the prevention, diagnosis, treat-*
22 *ment, and rehabilitation of stroke or traumatic in-*
23 *jury.*

24 *“(2) DISTRIBUTION OF GRANTS.—In awarding*
25 *grants under this subsection, the Secretary shall give*
26 *preference to qualified entities that will train health*

1 *care professionals that serve areas with a significant*
2 *incidence of stroke or traumatic injuries.*

3 “(3) *APPLICATION.*—*A qualified entity desiring*
4 *a grant under this subsection shall submit to the Sec-*
5 *retary an application at such time, in such manner,*
6 *and containing such information as the Secretary*
7 *may require, including a plan for the rigorous eval-*
8 *uation of activities carried out with amounts received*
9 *under the grant.*

10 “(4) *DEFINITIONS.*—*For purposes of this sub-*
11 *section:*

12 “(A) *The term ‘qualified entity’ means a*
13 *consortium of public and private entities, such*
14 *as universities, academic medical centers, hos-*
15 *pitals, and emergency medical systems that are*
16 *coordinating education activities among pro-*
17 *viders serving in a variety of medical settings.*

18 “(B) *The term ‘stroke’ means a ‘brain at-*
19 *tack’ in which blood flow to the brain is inter-*
20 *rupted or in which a blood vessel or aneurysm*
21 *in the brain breaks or ruptures.*

22 “(c) *REPORT.*—*Not later than 1 year after the alloca-*
23 *tion of grants under this section, the Secretary shall submit*
24 *to the Committee on Health, Education, Labor, and Pen-*
25 *sions of the Senate and the Committee on Energy and Com-*

1 *merce of the House of Representatives a report on the results*
2 *of activities carried out with amounts received under this*
3 *section.*

4 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
5 *authorized to be appropriated to carry out this section*
6 *\$4,000,000 for each of fiscal years 2005 through 2009. The*
7 *Secretary shall equitably allocate the funds authorized to*
8 *be appropriated under this section between efforts to address*
9 *stroke and efforts to address traumatic injury.”.*

10 **SEC. 3. PILOT PROJECT ON TELEHEALTH STROKE TREAT-**
11 **MENT.**

12 (a) *ESTABLISHMENT.—Part D of title III of the Public*
13 *Health Service Act (42 U.S.C. 254b et seq.) is amended by*
14 *inserting after section 330L the following:*

15 **“SEC. 330M. TELEHEALTH STROKE TREATMENT GRANT**
16 **PROGRAM.**

17 “(a) *GRANTS.—The Secretary may make grants to*
18 *States, and to consortia of public and private entities lo-*
19 *cated in any State that is not a grantee under this section,*
20 *to conduct a 5-year pilot project over the period of fiscal*
21 *years 2005 through 2009 to improve stroke patient outcomes*
22 *by coordinating health care delivery through telehealth net-*
23 *works.*

1 “(b) *ADMINISTRATION.*—*The Secretary shall admin-*
2 *ister this section through the Director of the Office for the*
3 *Advancement of Telehealth.*

4 “(c) *CONSULTATION.*—*In carrying out this section, for*
5 *the purpose of better coordinating program activities, the*
6 *Secretary shall consult with—*

7 “(1) *officials responsible for other Federal pro-*
8 *grams involving stroke research and care, including*
9 *such programs established by the Stroke Treatment*
10 *and Ongoing Prevention Act; and*

11 “(2) *organizations and individuals with exper-*
12 *tise in stroke prevention, diagnosis, treatment, and*
13 *rehabilitation.*

14 “(d) *USE OF FUNDS.*—

15 “(1) *IN GENERAL.*—*The Secretary may not make*
16 *a grant to a State or a consortium under this section*
17 *unless the State or consortium agrees to use the grant*
18 *for the purpose of—*

19 “(A) *identifying entities with expertise in*
20 *the delivery of high-quality stroke prevention, di-*
21 *agnosis, treatment, and rehabilitation;*

22 “(B) *working with those entities to establish*
23 *or improve telehealth networks to provide stroke*
24 *treatment assistance and resources to health care*

1 *professionals, hospitals, and other individuals*
2 *and entities that serve stroke patients;*

3 “(C) *informing emergency medical systems*
4 *of the location of entities identified under sub-*
5 *paragraph (A) to facilitate the appropriate*
6 *transport of individuals with stroke symptoms;*

7 “(D) *establishing networks to coordinate*
8 *collaborative activities for stroke prevention, di-*
9 *agnosis, treatment, and rehabilitation;*

10 “(E) *improving access to high-quality stroke*
11 *care, especially for populations with a shortage*
12 *of stroke care specialists and populations with a*
13 *high incidence of stroke; and*

14 “(F) *conducting ongoing performance and*
15 *quality evaluations to identify collaborative ac-*
16 *tivities that improve clinical outcomes for stroke*
17 *patients.*

18 “(2) *ESTABLISHMENT OF CONSORTIUM.—The*
19 *Secretary may not make a grant to a State under*
20 *this section unless the State agrees to establish a con-*
21 *sortium of public and private entities, including uni-*
22 *versities and academic medical centers, to carry out*
23 *the activities described in paragraph (1).*

24 “(3) *PROHIBITION.—The Secretary may not*
25 *make a grant under this section to a State that has*

1 *an existing telehealth network that is or may be used*
2 *for improving stroke prevention, diagnosis, treatment,*
3 *and rehabilitation, or to a consortium located in such*
4 *a State, unless the State or consortium agrees that—*

5 *“(A) the State or consortium will use an ex-*
6 *isting telehealth network to achieve the purpose*
7 *of the grant; and*

8 *“(B) the State or consortium will not estab-*
9 *lish a separate network for such purpose.*

10 *“(e) PRIORITY.—In selecting grant recipients under*
11 *this section, the Secretary shall give priority to any appli-*
12 *cant that submits a plan demonstrating how the applicant,*
13 *and where applicable the members of the consortium de-*
14 *scribed in subsection (d)(2), will use the grant to improve*
15 *access to high-quality stroke care for populations with*
16 *shortages of stroke-care specialists and populations with a*
17 *high incidence of stroke.*

18 *“(f) GRANT PERIOD.—The Secretary may not award*
19 *a grant to a State or a consortium under this section for*
20 *any period that—*

21 *“(1) is greater than 3 years; or*

22 *“(2) extends beyond the end of fiscal year 2009.*

23 *“(g) RESTRICTION ON NUMBER OF GRANTS.—In car-*
24 *rying out the 5-year pilot project under this section, the*
25 *Secretary may not award more than 7 grants.*

1 “(h) *APPLICATION.*—*To seek a grant under this sec-*
2 *tion, a State or a consortium of public and private entities*
3 *shall submit an application to the Secretary in such form,*
4 *in such manner, and containing such information as the*
5 *Secretary may require. At a minimum, the Secretary shall*
6 *require each such application to outline how the State or*
7 *consortium will establish baseline measures and benchmarks*
8 *to evaluate program outcomes.*

9 “(i) *DEFINITION.*—*In this section, the term ‘stroke’*
10 *means a ‘brain attack’ in which blood flow to the brain*
11 *is interrupted or in which a blood vessel or aneurysm in*
12 *the brain breaks or ruptures.*

13 “(j) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
14 *authorized to be appropriated to carry out this section*
15 *\$10,000,000 for fiscal year 2005, \$13,000,000 for fiscal year*
16 *2006, \$15,000,000 for fiscal year 2007, \$8,000,000 for fiscal*
17 *year 2008, and \$4,000,000 for fiscal year 2009.”.*

18 (b) *STUDY; REPORTS.*—

19 (1) *FINAL REPORT.*—*Not later than March 31,*
20 *2010, the Secretary of Health and Human Services*
21 *shall conduct a study of the results of the telehealth*
22 *stroke treatment grant program under section 330M*
23 *of the Public Health Service Act (added by subsection*
24 *(a)) and submit to the Congress a report on such re-*
25 *sults that includes the following:*

1 (A) *An evaluation of the grant program*
2 *outcomes, including quantitative analysis of*
3 *baseline and benchmark measures.*

4 (B) *Recommendations on how to promote*
5 *stroke networks in ways that improve access to*
6 *clinical care in rural and urban areas and re-*
7 *duce the incidence of stroke and the debilitating*
8 *and costly complications resulting from stroke.*

9 (C) *Recommendations on whether similar*
10 *telehealth grant programs could be used to im-*
11 *prove patient outcomes in other public health*
12 *areas.*

13 (2) *INTERIM REPORTS.—The Secretary of Health*
14 *and Human Services may provide interim reports to*
15 *the Congress on the telehealth stroke treatment grant*
16 *program under section 330M of the Public Health*
17 *Service Act (added by subsection (a)) at such inter-*
18 *vals as the Secretary determines to be appropriate.*

19 **SEC. 4. RULE OF CONSTRUCTION.**

20 *Nothing in this Act shall be construed to authorize the*
21 *Secretary of Health and Human Services to establish Fed-*
22 *eral standards for the treatment of patients or the licensure*
23 *of health care professionals.*

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[Report No. 108-453]

A BILL

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