

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

# H. R. 4555

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IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2004

Received

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## AN ACT

To amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards.

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 “Mammography Quality  
3 Standards Reauthorization Act of 2004”.

4 **SEC. 2. TEMPORARY RENEWAL AND LIMITED PROVISIONAL**  
5 **CERTIFICATE.**

6 Section 354 of the Public Health Service Act (42  
7 U.S.C. 263b) is amended—

8 (1) in subsection (b)(1)—

9 (A) in subparagraph (A)—

10 (i) in the matter preceding clause (i),  
11 by inserting “or a temporary renewal cer-  
12 tificate” after “certificate”; and

13 (ii) in clause (i), by striking “sub-  
14 section (c)(1)” and inserting “paragraphs  
15 (1) or (2) of subsection (c)”;

16 (B) in subparagraph (B)—

17 (i) in the matter preceding clause (i),  
18 by inserting “or a limited provisional cer-  
19 tificate” after “certificate”; and

20 (ii) in clause (i), by striking “sub-  
21 section (c)(2)” and inserting “paragraphs  
22 (3) and (4) of subsection (c)”;

23 (C) in the flush matter at the end, by  
24 striking “provisional certificate” and inserting  
25 “temporary renewal certificate, provisional cer-

1           tificate, or a limited provisional certificate”;  
2           and

3           (2) in subsection (c)—

4                 (A) by redesignating paragraph (2) as  
5           paragraph (4); and

6                 (B) by inserting after paragraph (1) the  
7           following:

8           “(2) TEMPORARY RENEWAL CERTIFICATE.—

9           The Secretary may issue a temporary renewal cer-  
10          tificate, for a period of not to exceed 45 days, to a  
11          facility seeking reaccreditation if the accreditation  
12          body has issued an accreditation extension, for a pe-  
13          riod of not to exceed 45 days, for any of the fol-  
14          lowing:

15                 “(A) The facility has submitted the re-  
16          quired materials to the accreditation body with-  
17          in the established time frames for the submis-  
18          sion of such materials but the accreditation  
19          body is unable to complete the reaccreditation  
20          process before the certification expires.

21                 “(B) The facility has acquired additional  
22          or replacement equipment, or has had signifi-  
23          cant personnel changes or other unforeseen sit-  
24          uations that have caused the facility to be un-  
25          able to meet reaccreditation timeframes, but in

1 the opinion of the accreditation body have not  
2 compromised the quality of mammography.

3 “(3) LIMITED PROVISIONAL CERTIFICATE.—

4 The Secretary may, upon the request of an accredi-  
5 tation body, issue a limited provisional certificate to  
6 an entity to enable the entity to conduct examina-  
7 tions for educational purposes while an onsite visit  
8 from an accreditation body is in progress. Such cer-  
9 tificate shall be valid only during the time the site  
10 visit team from the accreditation body is physically  
11 in the facility, and in no case shall be valid for  
12 longer than 72 hours. The issuance of a certificate  
13 under this paragraph, shall not preclude the entity  
14 from qualifying for a provisional certificate under  
15 paragraph (4).”.

16 **SEC. 3. NATIONAL ADVISORY COMMITTEE.**

17 Section 354(n) of the Public Health Service Act (42  
18 U.S.C. 263b(n)) is amended—

19 (1) in paragraph (2), by striking subparagraph  
20 (C) and all that follows and inserting the following:

21 “(C) other health professionals,  
22 whose clinical practice, research specialization, or  
23 professional expertise include a significant focus on  
24 mammography. The Secretary shall appoint at least  
25 4 individuals from among national breast cancer or

1 consumer health organizations with expertise in  
2 mammography, at least 2 industry representatives  
3 with expertise in mammography equipment, and at  
4 least 2 practicing physicians who provide mammog-  
5 raphy services.”; and

6 (2) in paragraph (4), by striking “biannually”  
7 and inserting “annually”.

8 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

9 Subparagraphs (A) and (B) of section 354(r)(2) of  
10 the Public Health Service Act (42 U.S.C. 263b(r)(2)(A)  
11 and (B)) are amended by striking “2002” each place it  
12 appears and inserting “2007”.

Passed the House of Representatives October 5,  
2004.

Attest:

JEFF TRANDAHL,

*Clerk.*