

Union Calendar No. 425

108TH CONGRESS
2^D SESSION

H. R. 4555

[Report No. 108-694]

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2004

Mr. DINGELL introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 22, 2004

Additional sponsors: Mr. FILNER and Mrs. CAPPS

SEPTEMBER 22, 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 italics]

A BILL

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 (e)(1)” and inserting “paragraphs
15 (1) or (2) of subsection (e)”;

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 (e)(2)” and inserting “paragraphs
22 (3) and (4) of subsection (e)”;

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 required 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. AUTHORIZATION OF APPROPRIATIONS.**

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

21 **SECTION 1. SHORT TITLE.**

22 *This Act may be cited as the “Mammography Quality*
23 *Standards Reauthorization Act of 2004”.*

1 **SEC. 2. TEMPORARY RENEWAL AND LIMITED PROVISIONAL**
2 **CERTIFICATE.**

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

5 *(1) in subsection (b)(1)—*

6 *(A) in subparagraph (A)—*

7 *(i) in the matter preceding clause (i),*
8 *by inserting “or a temporary renewal cer-*
9 *tificate” after “certificate”; and*

10 *(ii) in clause (i), by striking “sub-*
11 *section (c)(1)” and inserting “paragraphs*
12 *(1) or (2) of subsection (c)”;*

13 *(B) in subparagraph (B)—*

14 *(i) in the matter preceding clause (i),*
15 *by inserting “or a limited provisional cer-*
16 *tificate” after “certificate”; and*

17 *(ii) in clause (i), by striking “sub-*
18 *section (c)(2)” and inserting “paragraphs*
19 *(3) and (4) of subsection (c)”;* and

20 *(C) in the flush matter at the end, by strik-*
21 *ing “provisional certificate” and inserting “tem-*
22 *porary renewal certificate, provisional certifi-*
23 *cate, or a limited provisional certificate”;* and

24 *(2) in subsection (c)—*

25 *(A) by redesignating paragraph (2) as*
26 *paragraph (4); and*

1 (B) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) *TEMPORARY RENEWAL CERTIFICATE.*—The
4 Secretary may issue a temporary renewal certificate,
5 for a period of not to exceed 45 days, to a facility
6 seeking reaccreditation if the accreditation body has
7 issued an accreditation extension, for a period of not
8 to exceed 45 days, for any of the following:

9 “(A) *The facility has submitted the required*
10 *materials to the accreditation body within the es-*
11 *tablished time frames for the submission of such*
12 *materials but the accreditation body is unable to*
13 *complete the reaccreditation process before the*
14 *certification expires.*

15 “(B) *The facility has acquired additional or*
16 *replacement equipment, or has had significant*
17 *personnel changes or other unforeseen situations*
18 *that have caused the facility to be unable to meet*
19 *reaccreditation timeframes, but in the opinion of*
20 *the accreditation body have not compromised the*
21 *quality of mammography.*

22 “(3) *LIMITED PROVISIONAL CERTIFICATE.*—The
23 Secretary may, upon the request of an accreditation
24 body, issue a limited provisional certificate to an en-
25 tity to enable the entity to conduct examinations for

1 *educational purposes while an onsite visit from an*
2 *accreditation body is in progress. Such certificate*
3 *shall be valid only during the time the site visit team*
4 *from the accreditation body is physically in the facil-*
5 *ity, and in no case shall be valid for longer than 72*
6 *hours. The issuance of a certificate under this para-*
7 *graph, shall not preclude the entity from qualifying*
8 *for a provisional certificate under paragraph (4).”.*

9 **SEC. 3. NATIONAL ADVISORY COMMITTEE.**

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

12 *(1) in paragraph (2), by striking subparagraph*
13 *(C) and all that follows and inserting the following:*

14 *“(C) other health professionals,*
15 *whose clinical practice, research specialization, or*
16 *professional expertise include a significant focus on*
17 *mammography. The Secretary shall appoint at least*
18 *4 individuals from among national breast cancer or*
19 *consumer health organizations with expertise in*
20 *mammography, at least 2 industry representatives*
21 *with expertise in mammography equipment, and at*
22 *least 2 practicing physicians who provide mammog-*
23 *raphy services.”; and*

24 *(2) in paragraph (4), by striking “biannually”*
25 *and inserting “annually”.*

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

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