

108TH CONGRESS  
2D SESSION

# H. R. 5320

To amend title XIX of the Social Security Act to require staff working with developmentally disabled individuals to call emergency services in the event of a life-threatening situation.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2004

Mr. HOLT (for himself, Mr. SAXTON, Mr. PAYNE, Mr. FERGUSON, Mr. FROST, and Mr. PALLONE) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend title XIX of the Social Security Act to require staff working with developmentally disabled individuals to call emergency services in the event of a life-threatening situation.

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. REQUIREMENT OF STAFF WORKING WITH DE-**  
4 **VELOPMENTALLY DISABLED PERSONS TO**  
5 **CALL EMERGENCY SERVICES IN THE EVENT**  
6 **OF A LIFE-THREATENING SITUATION.**

7 (a) REQUIREMENT.—Section 1902(a) of the Social  
8 Security Act (42 U.S.C. 1396a(a)) is amended—

1           (1) in paragraph (66), by striking “and” at the  
2           end;

3           (2) in paragraph (67), by striking the period at  
4           the end and inserting “; and”; and

5           (3) by inserting after paragraph (67) the fol-  
6           lowing new paragraph:

7           “(68) provide, in accordance with regulations of  
8           the Secretary, that direct care staff providing  
9           health-related services to a person with a develop-  
10          mental disability or traumatic brain injury are re-  
11          quired to call the 911 emergency telephone service  
12          or equivalent emergency management service for as-  
13          sistance in the event of a life-threatening emergency  
14          to such person and to report such call to the appro-  
15          priate State agency or department.”.

16          (b) EFFECTIVE DATE.—The amendments made by  
17          subsection (a) take effect on January 1, 2006.

○