

108TH CONGRESS
1ST SESSION

S. 686

AMENDMENT

In the House of Representatives, U. S.,

November 20, 2003.

Resolved, That the bill from the Senate (S. 686) entitled “An Act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Poison Control Center*
3 *Enhancement and Awareness Act Amendments of 2003”.*

4 ***SEC. 2. FINDINGS.***

5 *The Congress finds the following:*

6 *(1) Poison control centers are our Nation’s pri-*
7 *mary defense against injury and deaths from poi-*
8 *soning. Twenty-four hours a day, the general public*
9 *as well as health care practitioners contact their local*
10 *poison centers for help in diagnosing and treating*
11 *victims of poisoning and other toxic exposures.*

12 *(2) Poisoning is the third most common form of*
13 *unintentional death in the United States. In any*
14 *given year, there will be between 2,000,000 and*

1 4,000,000 poison exposures. More than 50 percent of
2 these exposures will involve children under the age of
3 6 who are exposed to toxic substances in their home.
4 Poisoning accounts for 285,000 hospitalizations,
5 1,200,000 days of acute hospital care, and 13,000 fa-
6 talities annually.

7 (3) Stabilizing the funding structure and in-
8 creasing accessibility to poison control centers will
9 promote the utilization of poison control centers, and
10 reduce the inappropriate use of emergency medical
11 services and other more costly health care services.

12 (4) The tragic events of September 11, 2001, and
13 the anthrax cases of October 2001, have dramatically
14 changed our Nation. During this time period, poison
15 centers in many areas of the country were answering
16 thousands of additional calls from concerned resi-
17 dents. Many poison centers were relied upon as a
18 source for accurate medical information about the dis-
19 ease and the complications resulting from prophylactic
20 antibiotic therapy.

21 (5) The 2001 Presidential Task Force on Citizen
22 Preparedness in the War on Terrorism recommended
23 that the Poison Control Centers be used as a source
24 of public information and public education regarding

1 *potential biological, chemical, and nuclear domestic*
 2 *terrorism.*

3 (6) *The increased demand placed upon poison*
 4 *centers to provide emergency information in the event*
 5 *of a terrorist event involving a biological, chemical, or*
 6 *nuclear toxin will dramatically increase call volume.*

7 **SEC. 3. AMENDMENT TO PUBLIC HEALTH SERVICE ACT.**

8 *Title XII of the Public Health Service Act (42 U.S.C.*
 9 *300d et seq.) is amended by adding at the end the following:*

10 *“PART G—POISON CONTROL*

11 **“SEC. 1271. MAINTENANCE OF A NATIONAL TOLL-FREE**
 12 **NUMBER.**

13 *“(a) IN GENERAL.—The Secretary shall provide co-*
 14 *ordination and assistance to regional poison control centers*
 15 *for the establishment of a nationwide toll-free phone number*
 16 *to be used to access such centers.*

17 *“(b) RULE OF CONSTRUCTION.—Nothing in this sec-*
 18 *tion shall be construed as prohibiting the establishment or*
 19 *continued operation of any privately funded nationwide*
 20 *toll-free phone number used to provide advice and other as-*
 21 *sistance for poisonings or accidental exposures.*

22 *“(c) AUTHORIZATION OF APPROPRIATIONS.—There is*
 23 *authorized to be appropriated to carry out this section*
 24 *\$2,000,000 for each of the fiscal years 2000 through 2009.*
 25 *Funds appropriated under this subsection shall not be used*

1 \$600,000 for each of fiscal years 2000 through 2005 and
2 such sums as may be necessary for each of fiscal years 2006
3 through 2009.

4 **“SEC. 1273. MAINTENANCE OF THE POISON CONTROL CEN-**
5 **TER GRANT PROGRAM.**

6 “(a) *REGIONAL POISON CONTROL CENTERS.*—The
7 Secretary shall award grants to certified regional poison
8 control centers for the purposes of achieving the financial
9 stability of such centers, and for preventing and providing
10 treatment recommendations for poisonings.

11 “(b) *OTHER IMPROVEMENTS.*—The Secretary shall
12 also use amounts received under this section to—

13 “(1) develop standardized poison prevention and
14 poison control promotion programs;

15 “(2) develop standard patient management
16 guidelines for commonly encountered toxic exposures;

17 “(3) improve and expand the poison control data
18 collection systems, including, at the Secretary’s dis-
19 cretion, by assisting the poison control centers to im-
20 prove data collection activities;

21 “(4) improve national toxic exposure surveil-
22 lance by enhancing activities at the Centers for Dis-
23 ease Control and Prevention and the Agency for Toxic
24 Substances and Disease Registry;

1 “(5) *expand the toxicologic expertise within poi-*
2 *son control centers; and*

3 “(6) *improve the capacity of poison control cen-*
4 *ters to answer high volumes of calls during times of*
5 *national crisis.*

6 “(c) *CERTIFICATION.—Except as provided in sub-*
7 *section (d), the Secretary may make a grant to a center*
8 *under subsection (a) only if—*

9 “(1) *the center has been certified by a profes-*
10 *sional organization in the field of poison control, and*
11 *the Secretary has approved the organization as hav-*
12 *ing in effect standards for certification that reason-*
13 *ably provide for the protection of the public health*
14 *with respect to poisoning; or*

15 “(2) *the center has been certified by a State gov-*
16 *ernment, and the Secretary has approved the State*
17 *government as having in effect standards for certifi-*
18 *cation that reasonably provide for the protection of*
19 *the public health with respect to poisoning.*

20 “(d) *WAIVER OF CERTIFICATION REQUIREMENTS.—*

21 “(1) *IN GENERAL.—The Secretary may grant a*
22 *waiver of the certification requirement of subsection*
23 *(c) with respect to a noncertified poison control center*
24 *or a newly established center that applies for a grant*
25 *under this section if such center can reasonably dem-*

1 *onstrate that the center will obtain such a certifi-*
2 *cation within a reasonable period of time as deter-*
3 *mined appropriate by the Secretary.*

4 “(2) *RENEWAL.*—*The Secretary may renew a*
5 *waiver under paragraph (1).*

6 “(3) *LIMITATION.*—*In no instance may the sum*
7 *of the number of years for a waiver under paragraph*
8 *(1) and a renewal under paragraph (2) exceed 5*
9 *years. The preceding sentence shall take effect as if en-*
10 *acted on February 25, 2000.*

11 “(e) *SUPPLEMENT NOT SUPPLANT.*—*Amounts made*
12 *available to a poison control center under this section shall*
13 *be used to supplement and not supplant other Federal,*
14 *State, or local funds provided for such center.*

15 “(f) *MAINTENANCE OF EFFORT.*—*A poison control cen-*
16 *ter, in utilizing the proceeds of a grant under this section,*
17 *shall maintain the expenditures of the center for activities*
18 *of the center at a level that is not less than the level of*
19 *such expenditures maintained by the center for the fiscal*
20 *year preceding the fiscal year for which the grant is re-*
21 *ceived.*

22 “(g) *MATCHING REQUIREMENT.*—*The Secretary may*
23 *impose a matching requirement with respect to amounts*
24 *provided under a grant under this section if the Secretary*
25 *determines appropriate.*

1 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—There
2 are authorized to be appropriated to carry out this section
3 \$25,000,000 for each of the fiscal years 2000 through 2004
4 and \$27,500,000 for each of fiscal years 2005 through 2009.

5 **“SEC. 1274. RULE OF CONSTRUCTION.**

6 “Nothing in this part may be construed to ease any
7 restriction in Federal law applicable to the amount or per-
8 centage of funds appropriated to carry out this part that
9 may be used to prepare or submit a report.”.

10 **SEC. 4. CONFORMING AMENDMENT.**

11 *The Poison Control Center Enhancement and Aware-*
12 *ness Act (42 U.S.C. 14801 et seq.) is hereby repealed.*

Attest:

Clerk.