

110TH CONGRESS
2D SESSION

S. 2932

To amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2008

Mrs. MURRAY (for herself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

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 “Poison Center Sup-
5 port, Enhancement, and Awareness Act of 2008”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Poison control centers are the primary de-
4 fense of the United States against injury and deaths
5 from poisoning. Twenty-four hours a day, the gen-
6 eral public as well as health care practitioners con-
7 tact their local poison control centers for help in di-
8 agnosing and treating victims of poisoning. In 2007,
9 more than 4,000,000 calls were managed by poison
10 control centers providing ready and direct access for
11 all people of the United States, including many un-
12 derserved populations in the United States, with
13 vital emergency public health information and re-
14 sponse.

15 (2) Poisoning is the second most common form
16 of unintentional death in the United States. In any
17 given year, there will be between 3,000,000 and
18 5,000,000 poison exposures. Sixty percent of these
19 exposures will involve children under the age of 6
20 who are exposed to toxins in their home. Poisoning
21 accounts for 285,000 hospitalizations, 1,200,000
22 days of acute hospital care, and more than 26,000
23 fatalities in 2005.

24 (3) In 2008, the Harvard Injury Control Re-
25 search Center reported that poisonings from acci-
26 dents and unknown circumstances more than tripled

1 in rate since 1990. In 2005, the last year for which
2 data are available, 26,858 people died from acci-
3 dental or unknown poisonings. This represents an
4 increase of 20,000 since 1990 and an increase of
5 2,400 between 2004 and 2005. Fatalities from poi-
6 soning are increasing in the United States in near
7 epidemic proportions. The funding of programs to
8 reverse this trend is needed now more than ever.

9 (4) In 2004, The Institute of Medicine of the
10 National Academy of Sciences recommended that
11 “Congress should amend the current Poison Control
12 Center Enhancement and Awareness Act Amend-
13 ments of 2003 to provide sufficient funding to sup-
14 port the proposed Poison Prevention and Control
15 System with its national network of poison centers.
16 Support for the core activities at the current level of
17 service is estimated to require more than \$100 mil-
18 lion annually.”.

19 (5) Sustaining the funding structure and in-
20 creasing accessibility to poison control centers will
21 promote the utilization of poison control centers and
22 reduce the inappropriate use of emergency medical
23 services and other more costly health care services.
24 The 2004 Institute of Medicine Report to Congress
25 determined that for every \$1 invested in the Na-

1 tion's poison control centers \$7 of health care costs
2 are saved. In 2005, direct Federal health care pro-
3 gram savings totaled in excess of \$525,000,000 as
4 the result of poison control center public health serv-
5 ices.

6 (6) More than 30 percent of the cost savings
7 and financial benefits of the Nation's network of poi-
8 son control centers are realized annually by Federal
9 health care programs (estimated to be more than
10 \$1,000,000,000), yet Federal funding support (as
11 demonstrated by the annual authorization of
12 \$30,100,000 in Public Law 108–194) comprises less
13 than 11 percent of the annual network expenditures
14 of poison centers.

15 (7) Real-time data collected from the Nation's
16 certified poison control centers can be an important
17 source of information for the detection, monitoring,
18 and response for contamination of the air, water,
19 pharmaceutical, or food supply.

20 (8) In the event of a terrorist event, poison con-
21 trol centers will be relied upon as a critical source
22 for accurate medical information and public health
23 emergency response concerning the treatment of pa-
24 tients who have had an exposure to a chemical, radi-
25 ological, or biological agent.

1 **SEC. 3. REAUTHORIZATION OF POISON CONTROL CENTERS**

2 **NATIONAL TOLL-FREE NUMBER.**

3 Section 1271 of the Public Health Service Act (42
4 U.S.C. 300d–71) is amended to read as follows:

5 **“SEC. 1271. MAINTENANCE OF THE NATIONAL TOLL-FREE**
6 **NUMBER.**

7 “(a) IN GENERAL.—The Secretary shall provide co-
8 ordination and assistance to poison control centers for the
9 establishment of a nationwide toll-free phone number, and
10 the maintenance of such number, to be used to access such
11 centers.

12 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
13 is authorized to be appropriated \$2,000,000 for fiscal year
14 2009 to carry out this section, and \$1,000,000 for each
15 of fiscal years 2010 through 2014 for the maintenance
16 of the nationwide toll free phone number under subsection
17 (a).”.

18 **SEC. 4. REAUTHORIZATION OF NATIONWIDE MEDIA CAM-**
19 **PAIGN TO PROMOTE POISON CONTROL CEN-**
20 **TER UTILIZATION.**

21 (a) IN GENERAL.—Section 1272 of the Public Health
22 Service Act (42 U.S.C. 300d–72) is amended to read as
23 follows:

1 **“SEC. 1272. NATIONWIDE MEDIA CAMPAIGN TO PROMOTE**
 2 **POISON CONTROL CENTER UTILIZATION.**

3 “(a) IN GENERAL.—The Secretary shall carry out,
 4 and expand upon, a national media campaign to educate
 5 the public and health care providers about poison preven-
 6 tion and the availability of poison control center resources
 7 in local communities and to conduct advertising cam-
 8 paigns concerning the nationwide toll-free number estab-
 9 lished under section 1271(a).

10 “(b) CONTRACT WITH ENTITY.—The Secretary may
 11 carry out subsection (a) by entering into contracts with
 12 one or more public or private entities, including nationally
 13 recognized organizations in the field of poison control and
 14 national media firms, for the development and implemen-
 15 tation of a nationwide poison prevention and poison con-
 16 trol center awareness campaign, which may include—

17 “(1) the development and distribution of poison
 18 prevention and poison control center awareness ma-
 19 terials;

20 “(2) television, radio, Internet, and newspaper
 21 public service announcements; and

22 “(3) other activities to provide for public and
 23 professional awareness and education.

24 “(c) EVALUATION.—The Secretary shall—

25 “(1) establish baseline measures and bench-
 26 marks to quantitatively evaluate the impact of the

1 nationwide media campaign carried out under this
 2 section; and

3 “(2) on an annual basis, prepare and submit to
 4 the appropriate committees of Congress, an evalua-
 5 tion of the nationwide media campaign.

6 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 7 is authorized to be appropriated to carry out this section,
 8 such sums as may be necessary for fiscal year 2009, and
 9 \$1,500,000 for each of fiscal years 2010 through 2014.”.

10 (b) EFFECTIVE DATE.—The amendment made by
 11 this section shall be effective on the date of the enactment
 12 of this Act and shall apply to contracts entered into on
 13 or after January 1, 2009.

14 **SEC. 5. REAUTHORIZATION OF THE POISON CONTROL CEN-**
 15 **TER GRANT PROGRAM.**

16 (a) IN GENERAL.—Section 1273 of the Public Health
 17 Service Act (42 U.S.C. 300d–73) is amended to read as
 18 follows:

19 **“SEC. 1273. MAINTENANCE OF THE POISON CONTROL CEN-**
 20 **TER GRANT PROGRAM.**

21 “(a) AUTHORIZATION OF PROGRAM.—The Secretary
 22 shall award grants to poison control centers certified
 23 under subsection (c) (or granted a waiver under subsection
 24 (d)) and professional organizations in the field of poison
 25 control for the purposes of preventing, and providing

1 treatment recommendations for, poisonings and complying
2 with the operational requirements needed to sustain the
3 certification of the center under subsection (c).

4 “(b) ADDITIONAL USES OF GRANT FUNDS.—In addi-
5 tion to the purposes described in subsection (a), a poison
6 center or professional organization awarded a grant under
7 such subsection may also use amounts received under such
8 grant—

9 “(1) to establish and evaluate best practices in
10 the United States for poison prevention, poison con-
11 trol center outreach, and emergency and prepared-
12 ness programs;

13 “(2) to research, develop, implement, revise,
14 and communicate standard patient management
15 guidelines for commonly encountered toxic expo-
16 sures;

17 “(3) to improve national toxic exposure surveil-
18 lance by enhancing cooperative activities between
19 poison control centers in the United States and the
20 Centers for Disease Control and Prevention;

21 “(4) to develop, support, and enhance tech-
22 nology and capabilities of professional organizations
23 in the field of poison control to collect national poi-
24 soning, toxic occurrence, and related public health
25 data;

1 “(5) to develop initiatives to foster the en-
2 hanced public health utilization of national poison
3 data collected by organizations described in para-
4 graph (4);

5 “(6) to support and expand the toxicologic ex-
6 pertise within poison control centers; and

7 “(7) to improve the capacity of poison control
8 centers to answer high volumes of calls and respond
9 during times of national crisis or other public health
10 emergencies.

11 “(c) CERTIFICATION.—Except as provided in sub-
12 section (d), the Secretary may award a grant to a poison
13 control center under subsection (a) only if—

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

20 “(2) the center has been certified by a State
21 government, and the Secretary has approved the
22 State government as having in effect standards for
23 certification that reasonably provide for the protec-
24 tion of the public health with respect to poisoning.

25 “(d) WAIVER OF CERTIFICATION REQUIREMENTS.—

1 “(1) IN GENERAL.—The Secretary may grant a
2 waiver of the certification requirements of subsection
3 (c) with respect to a noncertified poison control cen-
4 ter that applies for a grant under this section if such
5 center can reasonably demonstrate that the center
6 will obtain such a certification within a reasonable
7 period of time as determined appropriate by the Sec-
8 retary.

9 “(2) RENEWAL.—The Secretary may renew a
10 waiver under paragraph (1).

11 “(3) LIMITATION.—In no case may the sum of
12 the number of years for a waiver under paragraph
13 (1) and a renewal under paragraph (2) exceed 5
14 years. The preceding sentence shall take effect as of
15 the date of the enactment of the Poison Center Sup-
16 port, Enhancement, and Awareness Act of 2008.

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

21 “(f) MAINTENANCE OF EFFORT.—A poison control
22 center, in utilizing the proceeds of a grant under this sec-
23 tion, shall maintain the expenditures of the center for ac-
24 tivities of the center at a level that is not less than the
25 level of expenditures maintained by the center for the fis-

1 cal year preceding the fiscal year for which the grant is
2 received.

3 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to carry out this section,
5 \$27,500,000 for fiscal year 2009, and \$35,000,000 for
6 each of fiscal years 2010 through 2014.”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 this section shall be effective as of the date of the enact-
9 ment of this Act and shall apply to grants made on or
10 after January 1, 2009.

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