

113TH CONGRESS
1ST SESSION

H. R. 3577

To establish the Commission on Health Care Savings through Innovative
Wireless Technologies.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2013

Mr. PETERS of California (for himself, Ms. SPEIER, Mr. HONDA, Mr. VARGAS,
Mr. SWALWELL of California, and Mr. GARAMENDI) introduced the fol-
lowing bill; which was referred to the Committee on Energy and Com-
merce

A BILL

To establish the Commission on Health Care Savings
through Innovative Wireless Technologies.

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. ESTABLISHMENT.**

4 There is established in the legislative branch a com-
5 mission to be known as the “Commission on Health Care
6 Savings through Innovative Wireless Technologies” (in
7 this Act referred to as the “Commission”).

8 **SEC. 2. DUTIES OF COMMISSION.**

9 The duties of the Commission shall be the following:

1 (1) Examine the cost savings to the United
2 States health care system, if any, that can be
3 achieved by increasing the use of wireless health in-
4 formation technologies (including technologies re-
5 lated to digital health, mobile health (mHealth), tele-
6 health, telemedicine, e-Care, remote patient moni-
7 toring, and the collection of patient-generated health
8 data) by patients, caregivers, and health care pro-
9 viders.

10 (2) Examine existing scientific research study-
11 ing the medical effectiveness of wireless health infor-
12 mation technologies that deliver health care.

13 (3) Examine existing payment models and in-
14 centive payment programs that provide Federal fi-
15 nancial reimbursement or funding for the use of
16 wireless health information technologies.

17 (4) Examine options for Congress and for ap-
18 propriate Federal agencies to incentivize and pro-
19 mote innovation and technological advancements in
20 the area of wireless health information technologies.

21 (5) Examine barriers to marketplace entry,
22 whether technical or systemic, that impede efforts by
23 persons and entities to develop new wireless health
24 information technologies and to improve existing
25 wireless health information technologies.

1 (6) Identify appropriate situations for the inte-
2 gration of wireless health information technologies
3 into Federal health care programs, and recommend
4 methods for integrating such technologies into such
5 programs.

6 (7) Develop a proposal based on the findings of
7 its examinations under this section for the establish-
8 ment, implementation, and financing of a com-
9 prehensive program to encourage the further inte-
10 gration of wireless health information technologies
11 into existing Federal health care programs.

12 (8) Develop cost estimate approaches that the
13 Congressional Budget Office can consider utilizing in
14 order to more accurately assess the cost savings that
15 the Federal Government can achieve by increasing
16 the use of wireless health information technologies
17 by patients, caregivers, and health care providers in
18 the United States.

19 **SEC. 3. MEMBERSHIP.**

20 (a) NUMBER AND APPOINTMENT.—The Commission
21 shall be composed of 19 individuals (such as the individ-
22 uals described in subsection (b)) who have demonstrated
23 experience or expertise with respect to wireless health in-
24 formation technologies and that are appointed not later

1 than 45 days after the date of the enactment of this Act
2 as follows:

3 (1) Three members appointed by the President.

4 (2) Two members appointed by the Speaker of
5 the House of Representatives.

6 (3) Two members appointed by the minority
7 leader of the House of Representatives.

8 (4) Two members appointed by the majority
9 leader of the Senate.

10 (5) Two members appointed by the minority
11 leader of the Senate.

12 (6) Four members appointed by the Secretary
13 of Health and Human Services.

14 (7) Four members appointed by the Chairman
15 of the Federal Communications Commission.

16 (b) EXAMPLES OF INDIVIDUALS.—For purposes of
17 subsection (a), individuals described in this subsection
18 are—

19 (1) representatives of—

20 (A) health care providers;

21 (B) group health plans, health insurance
22 coverage offered in the group or individual mar-
23 ket, and other third-party payers;

24 (C) health information technology vendors;

1 (D) small businesses or startup companies
2 in the wireless health information technologies
3 industry;

4 (E) major research and academic institu-
5 tions; and

6 (F) patient advocacy groups;

7 (2) health care professionals;

8 (3) venture capital investors; and

9 (4) individuals who have received health care
10 treatment that included the use of wireless health in-
11 formation technologies and caregivers of such indi-
12 viduals.

13 (c) PROHIBITION ON FEDERAL OFFICERS, EMPLOY-
14 EES, AND MEMBERS OF CONGRESS SERVING AS MEM-
15 BERS.—No members appointed under subsection (a) may
16 be officers or employees of the Federal Government or
17 Members of Congress.

18 (d) TERMS.—Each member shall be appointed for the
19 life of the Commission.

20 (e) BASIC PAY AND TRAVEL EXPENSES.—Members
21 shall serve without pay and without receipt of travel ex-
22 penses.

23 (f) QUORUM.—Nine members of the Commission
24 shall constitute a quorum but a lesser number may hold
25 hearings.

1 (g) CHAIRPERSON.—The Chairperson of the Commis-
2 sion shall be elected by the members.

3 (h) MEETINGS.—The Commission shall meet at the
4 call of the Chairperson and may not meet fewer than nine
5 times.

6 **SEC. 4. DIRECTOR AND STAFF OF COMMISSION; EXPERTS**
7 **AND CONSULTANTS.**

8 (a) DIRECTOR.—The Commission shall have a Direc-
9 tor who shall be appointed by the Commission to the ex-
10 tent or in the amounts provided in advance in appropria-
11 tion Acts, the Director shall be paid at the rate of basic
12 pay for level 4 of the Executive Schedule.

13 (b) STAFF.—The Commission may appoint personnel
14 as it considers appropriate.

15 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
16 LAWS.—The Director and staff of the Commission shall
17 be appointed subject to the provisions of title 5, United
18 States Code, governing appointments in the competitive
19 service, and shall be paid in accordance with the provisions
20 of chapter 51 and subchapter III of chapter 53 of that
21 title relating to classification and General Schedule pay
22 rates.

23 (d) EXPERTS AND CONSULTANTS.—The Commission
24 may procure temporary and intermittent services under
25 section 3109(b) of title 5, United States Code.

1 (e) STAFF OF FEDERAL AGENCIES.—Upon request
2 of the Commission, the head of any Federal department
3 or agency may detail, on a reimbursable basis, any of the
4 personnel of that department or agency to the Commission
5 to assist it in carrying out its duties under this Act.

6 **SEC. 5. POWERS OF COMMISSION.**

7 (a) HEARINGS AND SESSIONS.—Subject to rules pre-
8 scribed by the Commission, the Commission may, for the
9 purpose of carrying out this Act, hold hearings, sit and
10 act at times and places, take testimony, and receive evi-
11 dence as the Commission considers appropriate.

12 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
13 ber or agent of the Commission may, if authorized by the
14 Commission, take any action which the Commission is au-
15 thorized to take by this section.

16 (c) OBTAINING OFFICIAL DATA.—The Commission
17 may secure directly from any department or agency of the
18 United States information necessary to enable it to carry
19 out this Act. Upon request of the Chairperson of the Com-
20 mission, the head of that department or agency shall fur-
21 nish that information to the Commission.

22 (d) GIFTS, BEQUESTS, AND DEVICES.—To the extent
23 or in the amounts provided in advance in appropriation
24 Acts, the Commission may accept, use, and dispose of
25 gifts, bequests, or devises of services or property, both real

1 and personal, for the purpose of aiding or facilitating the
2 work of the Commission. Gifts, bequests, or devises of
3 money and proceeds from sales of other property received
4 as gifts, bequests, or devises shall be deposited in the
5 Treasury and shall be available for disbursement upon
6 order of the Commission.

7 (e) **MAILS.**—The Commission may use the United
8 States mails in the same manner and under the same con-
9 ditions as other departments and agencies of the United
10 States.

11 (f) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the
12 request of the Commission, the Administrator of General
13 Services shall provide to the Commission, on a reimburs-
14 able basis, the administrative support services necessary
15 for the Commission to carry out its responsibilities under
16 this Act.

17 (g) **CONTRACT AUTHORITY.**—To the extent or in the
18 amounts provided in advance in appropriation Acts, the
19 Commission may contract with and compensate govern-
20 ment and private agencies or persons for services, without
21 regard to section 3709 of the Revised Statutes (41 U.S.C.
22 5).

23 **SEC. 6. REPORTS.**

24 (a) **INTERIM REPORTS.**—The Commission shall sub-
25 mit to the President, the Congress, and such agencies as

1 the Commission determines to be appropriate an interim
2 report not later than 9 months after the final member is
3 appointed to the Commission and such other interim re-
4 ports as the Commission considers appropriate.

5 (b) FINAL REPORT.—The Commission shall transmit
6 a final report to the President, the Congress, and such
7 agencies as the Commission determines to be appropriate
8 not later than 18 months after the final member is ap-
9 pointed to the Commission. The final report shall contain
10 a detailed statement of the findings and conclusions of the
11 Commission, together with its recommendations for legis-
12 lation and administrative actions the Commission con-
13 siders appropriate.

14 **SEC. 7. TERMINATION.**

15 The Commission shall terminate on the date that is
16 60 days after submitting its final report pursuant to sec-
17 tion 6(b).

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