

105TH CONGRESS
1ST SESSION

H. R. 1715

To amend the Public Health Service Act to establish the National Institute of Biomedical Imaging.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1997

Mr. BURR of North Carolina (for himself, Mr. GOODE, Mr. TAYLOR of North Carolina, Mr. PRICE of North Carolina, Mr. CLEMENT, Mr. NORWOOD, Ms. RIVERS, Mr. HEFNER, Mr. EHLERS, Mr. HANSEN, Mr. BALLENGER, Mr. ABERCROMBIE, Mr. JONES, Mr. COOK, Mr. ETHERIDGE, Mr. COBLE, Mr. BORSKI, Mrs. CLAYTON, Mr. WATT of North Carolina, Mr. KLECZKA, Mr. TOWNS, Mr. FATTAH, Mrs. MINK of Hawaii, Mr. SPENCE, and Mr. MCINTYRE) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Public Health Service Act to establish the National Institute of Biomedical Imaging.

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 “National Institute of
5 Biomedical Imaging Establishment Act”.

1 **SEC. 2. ESTABLISHMENT OF NATIONAL INSTITUTE OF BIO-**
2 **MEDICAL IMAGING.**

3 (a) IN GENERAL.—Part C of title IV of the Public
4 Health Service Act (42 U.S.C. 285 et seq.) is amended
5 by adding at the end the following subpart:

6 “Subpart 18—National Institute of Biomedical Imaging

7 “PURPOSE OF THE INSTITUTE

8 “SEC. 464z. (a) The general purpose of the National
9 Institute of Biomedical Imaging (in this section referred
10 to as the ‘Institute’) is the conduct and support of re-
11 search, training, the dissemination of health information,
12 and other programs with respect to radiologic and other
13 imaging modalities, imaging techniques, and imaging tech-
14 nologies with biomedical applications (in this section re-
15 ferred to as ‘biomedical imaging’).

16 “(b)(1) The Director of the Institute, with the advice
17 of the Institute’s advisory council, shall establish a Na-
18 tional Biomedical Imaging Program (in this section re-
19 ferred to as the ‘Program’).

20 “(2) Activities under the Program shall include the
21 following with respect to biomedical imaging:

22 “(A) Research into the development of new
23 techniques and devices.

24 “(B) Related research in physics, computer
25 science, information sciences, and other disciplines.

1 “(C) Technology assessments and outcomes
2 studies to evaluate the effectiveness of devices and
3 procedures.

4 “(D) Research in screening for diseases and
5 disorders.

6 “(E) The advancement of existing modalities
7 (such as x-ray imaging, computed tomography, mag-
8 netic resonance imaging, magnetic resonance spec-
9 troscopy, positron emission tomography, single pho-
10 ton emission computed tomography, ultrasound, and
11 bioelectric and biomagnetic imaging).

12 “(F) The development of image-enhancing
13 agents, contrast media, and radiopharmaceuticals.

14 “(G) The development of image-enhancing
15 agents and advanced technologies and techniques for
16 molecular and genetic imaging.

17 “(H) The development of new techniques and
18 devices for imaging-guided surgery and related inter-
19 ventional procedures.

20 “(I) Research into technologies to enhance and
21 expand the potential applications of picture
22 archiving, communication systems, and telemedicine.

23 “(3)(A) With respect to the Program, the Director
24 or the Institute shall prepare and transmit to the Sec-
25 retary and the Director of NIH a plan to initiate, expand,

1 intensify, and coordinate activities of the Institute respect-
2 ing biomedical imaging. The plan shall include such com-
3 ments and recommendations as the Director of the Insti-
4 tute determines appropriate. The Director of the Institute
5 shall periodically review and revise the plan and shall
6 transmit any revisions of the plan to the Secretary and
7 the Director of NIH.

8 “(B) The plan under subparagraph (A) shall include
9 the recommendations of the Director of the Institute with
10 respect to the following:

11 “(i) The consolidation of programs of the Na-
12 tional Institutes of Health for the conduct or sup-
13 port of activities regarding biomedical imaging.

14 “(ii) The establishment of a center within the
15 Institute to coordinate imaging research activities
16 conducted or supported by Federal agencies and to
17 facilitate the transfer of biomedical imaging tech-
18 nologies.

19 “(c) The establishment under section 406 of an advi-
20 sory council for the Institute is subject to the following:

21 “(1) The number of members appointed by the
22 Secretary shall be 12.

23 “(2) Of such members—

24 “(A) 6 members shall be scientists, physi-
25 cians, and other health professionals who rep-

1 resent disciplines in biomedical imaging and
2 who are not officers or employees of the United
3 States; and

4 “(B) 6 members shall be scientists, physi-
5 cians, and other health professionals who rep-
6 resent other disciplines and are knowledgeable
7 about the applications of biomedical imaging in
8 medicine, and who are not officers or employees
9 of the United States.

10 “(3) In addition to the ex officio members spec-
11 ified in section 406(b)(2), the ex officio members of
12 the advisory council shall include the Director of the
13 Centers for Disease Control and Prevention, the Di-
14 rector of the National Science Foundation, and the
15 Director of the National Institute of Standards and
16 Technology (or the designees of such officers).

17 “(d)(1) Subject to paragraph (2), for the purpose of
18 carrying out this section:

19 “(A) For fiscal year 1998, there is authorized
20 to be appropriated an amount equal to the amount
21 obligated by the National Institutes of Health dur-
22 ing fiscal year 1997 for biomedical imaging, except
23 that such amount shall be adjusted to offset any in-
24 flation occurring after October 1, 1996.

1 “(B) For each of the fiscal years 1999 and
2 2000, there is authorized to be appropriated an
3 amount equal to the amount appropriated under
4 subparagraph (A) for fiscal year 1998, except that
5 such amount shall be adjusted for the fiscal year in-
6 volved to offset any inflation occurring after October
7 1, 1997.

8 “(2) The authorization of appropriations for a fiscal
9 year under paragraph (1) is hereby reduced by the amount
10 of any appropriation made for such year for the conduct
11 or support by any other national research institute of any
12 program with respect to biomedical imaging.”.

13 (b) USE OF EXISTING RESOURCES.—In providing for
14 the establishment of the National Institute of Biomedical
15 Imaging pursuant to the amendment made by subsection
16 (a), the Director of the National Institutes of Health (re-
17 ferred to in this subsection as “NIH”)—

18 (1) may transfer to the National Institute of
19 Biomedical Imaging such personnel of NIH as the
20 Director determines to be appropriate;

21 (2) may, for quarters for such Institute, utilize
22 such facilities of NIH as the Director determines to
23 be appropriate; and

1 (3) may obtain administrative support for the
2 Institute from the other agencies of NIH, including
3 the other national research institutes.

4 (c) CONSTRUCTION OF FACILITIES.—None of the
5 provisions of this Act or the amendments made by the Act
6 may be construed as authorizing the construction of facili-
7 ties, or the acquisition of land, for purposes of the estab-
8 lishment or operation of the National Institute of Bio-
9 medical Imaging.

10 (d) DATE CERTAIN FOR ESTABLISHMENT OF ADVI-
11 SORY COUNCIL.—Not later than 90 days after the effec-
12 tive date of this Act under section 3, the Secretary of
13 Health and Human Services shall complete the establish-
14 ment of an advisory council for the National Institute of
15 Biomedical Imaging in accordance with section 406 of the
16 Public Health Service Act and in accordance with section
17 464z of such Act (as added by subsection (a) of this sec-
18 tion).

19 (e) CONFORMING AMENDMENT.—Section 401(b)(1)
20 of the Public Health Service Act (42 U.S.C. 281(b)(1))
21 is amended by adding at the end the following subpara-
22 graph:

23 “(R) The National Institute of Biomedical Im-
24 aging.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 This Act takes effect October 1, 1997, or upon the
3 date of the enactment of this Act, whichever occurs later.

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