

107TH CONGRESS
2D SESSION

H. R. 4916

To amend the Public Health Service Act to provide services for the prevention of family violence.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2002

Mrs. CAPPS (for herself, Mr. LATOURETTE, Mr. ENGLISH, Mr. WAXMAN, Ms. NORTON, Mr. MCGOVERN, Ms. SLAUGHTER, Mr. FROST, Ms. MILLENDER-MCDONALD, Mr. McNULTY, Mr. WEXLER, Ms. SANCHEZ, Mr. BLAGOJEVICH, Ms. SCHAKOWSKY, Ms. BROWN of Florida, Mr. BLUMENAUER, Mr. OWENS, Ms. CARSON of Indiana, Mrs. CLAYTON, Mrs. NAPOLITANO, Mr. BACA, Ms. WOOLSEY, and Mrs. CHRISTENSEN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to provide services for the prevention of family violence.

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 “Family Violence Pre-
5 vention Act of 2002”.

1 **SEC. 2. FAMILY VIOLENCE PREVENTION.**

2 Title III of the Public Health Service Act (42 U.S.C.
3 241 et seq.) is amended by adding at the end the fol-
4 lowing:

5 **“PART R—FAMILY VIOLENCE PREVENTION**

6 **“SEC. 399AA. DEFINITION.**

7 “In this part the term ‘family violence’ means any
8 act or threatened act of violence, including any forceful
9 detention of an individual, that—

10 “(1) results or threatens to result in physical
11 injury; and

12 “(2) is committed by a person against another
13 individual (including an elderly individual or a
14 child)—

15 “(A) to whom such person is or was re-
16 lated by blood or marriage or is otherwise le-
17 gally related;

18 “(B) with whom such person is or was law-
19 fully residing; or

20 “(C) with whom such person is or has been
21 in a social relationship of a romantic or inti-
22 mate nature where the existence of such a rela-
23 tionship shall be determined based on a consid-
24 eration of—

25 “(i) the length of the relationship;

26 “(ii) the type of the relationship; and

1 “(iii) the frequency of interaction be-
2 tween the individuals involved in the rela-
3 tionship.

4 **“SEC. 399AA-1. OFFICE OF FAMILY VIOLENCE.**

5 “(a) ESTABLISHMENT.—

6 “(1) IN GENERAL.—There is established within
7 the Department of Health and Human Services an
8 Office of Family Violence (in this part referred to as
9 the ‘Office’) under the general authority of the Sec-
10 retary.

11 “(2) SEPARATE OFFICE.—The Office shall be a
12 separate office headed by a Director who shall report
13 to the Secretary through the Assistant Secretary for
14 Health, and who shall also serve as Counsel to the
15 Secretary.

16 “(b) JURISDICTION.—The Office shall—

17 “(1) facilitate coordination between all pro-
18 grams within the Department of Health and Human
19 Services relating to the prevention of family violence;

20 “(2) collaborate with family violence programs
21 (including child abuse, domestic violence, and elder
22 abuse programs) administered by other Federal de-
23 partments or agencies to develop a Federal family
24 violence prevention Internet website to provide
25 information—

1 “(A) to the public concerning the Federal
2 resources available to combat family violence,
3 including child abuse, domestic violence, and
4 elder abuse; and

5 “(B) concerning ongoing or prospective re-
6 search efforts that might be of use to family vi-
7 olence prevention advocates, researchers, and
8 others; and

9 “(3) carry out other activities related to family
10 violence (including child abuse, domestic violence,
11 and elder abuse) prevention that are determined ap-
12 propriate by the Secretary.

13 “(c) DIRECTOR.—

14 “(1) APPOINTMENT.—The President, by and
15 with the advice and consent of the Senate, shall ap-
16 point a Director for the Office of Family Violence
17 (in this part referred to as the ‘Director’) to be re-
18 sponsible for the administration, coordination, and
19 implementation of the programs and activities of the
20 Office.

21 “(2) OTHER EMPLOYMENT.—The Director shall
22 not—

23 “(A) engage in any employment other than
24 that of serving as Director; or

1 “(B) hold any office in, or act in any ca-
2 pacity for, any organization, agency, or institu-
3 tion with which the Office makes any contract
4 or other agreement.

5 “(3) VACANCY.—In the case of a vacancy, the
6 President may designate an officer or employee who
7 shall act as Director during the vacancy.

8 “(4) COMPENSATION.—The Director shall be
9 compensated at a rate of pay not to exceed the rate
10 payable for level V of the Executive Schedule under
11 section 5316 of title 5, United States Code.

12 “(d) REGULATIONS.—The Director may, after appro-
13 priate consultation with representatives of States and
14 units of local government, establish such rules, regula-
15 tions, and procedures as are necessary to the exercise of
16 the functions of the Office.

17 “(e) STAFF.—The Secretary shall ensure that there
18 is adequate staff to support the Director in carrying out
19 the responsibilities of the Director under this part.

20 “(f) REPORT.—The Director shall annually report to
21 the appropriate authorizing and appropriating committees
22 of Congress concerning the coordination of activities that
23 are being carried out by all family violence program within
24 the Department of Health and Human Services.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out this section,
3 \$5,000,000 for fiscal year 2003, and such sums as may
4 be necessary for each of fiscal years 2004 through 2007.

5 **“SEC. 399AA-2. FAMILY VIOLENCE RESEARCH CENTERS.**

6 “(a) ESTABLISHMENT.—The Secretary shall provide
7 for the establishment of 5 family violence research and
8 education centers to conduct research and disseminate in-
9 formation, including professional and public education,
10 concerning family violence.

11 “(b) LINKAGES.—In establishing centers under sub-
12 section (a), the Secretary shall ensure that—

13 “(1) one center is linked to the Centers for Dis-
14 ease Control and Prevention;

15 “(2) one center is linked to the National Insti-
16 tute of Mental Health; and

17 “(3) each center is linked to national, State,
18 and local community resources, including domestic
19 violence coalition shelters, community health centers,
20 health care delivery systems, and domestic and sex-
21 ual assault hotlines, through which information may
22 be distributed.

23 “(c) GENERAL DUTIES.—Each center established
24 under subsection (a)—

1 “(1) shall provide for the conduct of family vio-
2 lence research, including, in collaboration with the
3 Centers for Disease Control and Prevention, the ad-
4 ministration of annual national surveys concerning
5 the prevalence and characteristics of different forms
6 of family violence, including child abuse, domestic vi-
7 olence, and elder abuse; and

8 “(2) may provide for the conduct of family vio-
9 lence research, including—

10 “(A) research concerning the development,
11 implementation, evaluation, and dissemination
12 of appropriate curricula for health professional
13 training in the area of family violence;

14 “(B) research concerning the effectiveness
15 of different educational methodologies that are
16 used to present the curricula described in sub-
17 paragraph (A);

18 “(C) research concerning patterns of
19 health care utilization by victims of family vio-
20 lence and child witnesses of family violence, the
21 effects that family violence has on other health
22 behaviors and the health status of individuals,
23 families, and populations, and the health care
24 costs attributable to family violence;

1 “(D) research concerning the effects of
2 mandatory family violence reporting require-
3 ments, including—

4 “(i) the effects of such requirements
5 on—

6 “(I) the prevalence and incidence
7 of family violence;

8 “(II) victim and dependent safety
9 and self-efficacy;

10 “(III) referral and treatment pat-
11 terns; and

12 “(IV) access to health care, legal,
13 and advocacy services;

14 “(ii) the development of mechanisms
15 to provide resources, consultation, and
16 technical assistance to State and local gov-
17 ernments and to agencies and non-profit
18 entities that are concerned with evaluating
19 the effect of mandatory reporting on the
20 health and safety of victims and depend-
21 ents;

22 “(E) research and testing of best messages
23 and strategies to mobilize public action con-
24 cerning the prevention of family violence;

1 “(F) research on the relationship between
2 childhood exposure to domestic violence and
3 child and adult health and safety outcomes;

4 “(G) research on effective interventions for
5 children exposed to violence; and

6 “(H) research on the effects of family vio-
7 lence on other health behaviors and health con-
8 ditions.

9 “(d) GRANTS AND CONTRACTS.—

10 “(1) IN GENERAL.—In carrying out subsection
11 (a), the Secretary may make grants to and enter
12 into contracts with public and nonprofit private enti-
13 ties.

14 “(2) APPLICATION FOR AWARD.—The Secretary
15 may make an award of a grant or contract under
16 paragraph (1) only if an application for the award
17 is submitted to the Secretary and the application is
18 in such form, is made in such manner, and contains
19 such agreements, assurances, and information as the
20 Secretary determines to be necessary to carry out
21 the purposes for which the award is to be made.

22 “(e) ADVISORY BOARD.—

23 “(1) IN GENERAL.—The Secretary shall estab-
24 lish an advisory board to make recommendations

1 concerning the research agenda carried out by the
2 research centers under this section.

3 “(2) COMPOSITION.—

4 “(A) APPOINTED MEMBERS.—The advisory
5 board shall be composed of 19 members to be
6 appointed by the Secretary as follows:

7 “(i) Twelve members shall be ap-
8 pointed from among individuals who are
9 scientific or health care experts in the
10 areas of elder abuse, domestic violence,
11 child abuse, mental health, epidemiology,
12 social work, or health education.

13 “(ii) Seven members shall be ap-
14 pointed from among nationally recognized
15 experts in domestic violence, child abuse,
16 and elder abuse who have a documented
17 history of effective and respected work in
18 their respective field, of which—

19 “(I) at least one member shall be
20 an expert in domestic violence and
21 dating violence;

22 “(II) at least one member shall
23 be an expert in child abuse;

24 “(III) at least one member shall
25 be an expert in elder abuse;

1 “(IV) at least one member shall
2 be an expert in the impact of domestic
3 violence on children and youth; and

4 “(V) at least one member shall
5 be an expert in domestic violence
6 against older or disabled women.

7 “(B) EX OFFICIO MEMBERS.—The fol-
8 lowing shall be ex-officio members of the advi-
9 sory board:

10 “(i) The Assistant Secretary for
11 Health.

12 “(ii) The Director of the National In-
13 stitutes of Health.

14 “(iii) The Director of the National In-
15 stitute for Mental Health.

16 “(iv) The Director of the Centers for
17 Disease Control and Prevention.

18 “(v) The Assistant Secretary for Chil-
19 dren and Families.

20 “(vi) The Assistant Secretary for
21 Aging.

22 “(vii) The Administrator of the
23 Health Resources and Services Administra-
24 tion.

1 “(viii) The Director of the Substance
2 Abuse and Mental Health Services Admin-
3 istration.

4 “(ix) The Assistant Attorney General
5 for the Office of Justice Programs.

6 “(C) CHAIRPERSON.—The members of the
7 advisory board appointed under subparagraph
8 (A) shall elect a chairperson from among such
9 members.

10 “(3) MEETINGS.—The advisory board shall
11 meet at the call of the chairperson or upon the re-
12 quest of the Secretary, but not less often than 4
13 times each year.

14 “(4) DUTIES.—In order to ensure the most ef-
15 fective use and organization of Federal resources
16 concerning family violence, the advisory board shall
17 provide advice and make recommendations to Con-
18 gress and the Secretary with respect to the imple-
19 mentation and revision of the research agenda of the
20 research centers established under this section.

21 “(5) SUBCOMMITTEES.—In carrying out its
22 functions under this subsection, the advisory board
23 may establish subcommittees, convene workshops
24 and conferences, and collect data. Such subcommit-
25 tees may be composed of advisory board members

1 and nonmember consultants with expertise in the
2 particular area addressed by such subcommittees.

3 “(6) REPORTS.—The advisory committee shall
4 annually report to the appropriate authorizing and
5 appropriations committees of Congress concerning
6 the research agenda for the centers established
7 under this section and the progress made in ful-
8 filling that research agenda.

9 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to carry out this section,
11 \$25,000,000 for fiscal year 2003, and such sums as may
12 be necessary for each of fiscal years 2004 through 2007.

13 **“SEC. 399AA-3. HEALTH PROFESSIONAL TRAINING GRANTS.**

14 “(a) IN GENERAL.—The Director of the Office shall
15 award grants to eligible entities to enable such entities to
16 develop, implement, evaluate, and disseminate family vio-
17 lence education and training curricula, programs, and
18 strategies.

19 “(b) ELIGIBILITY.—To be eligible to receive a grant
20 under subsection (a), an entity shall—

21 “(1) be—

22 “(A) a health care delivery system or
23 health care training entity, such as an academic
24 health center, a federally qualified health cen-

1 ter, a hospital, and a community health center;
2 or

3 “(B) an entity not described in subpara-
4 graph (A) that enters into a collaborative rela-
5 tionship with an entity described in such sub-
6 paragraph for purposes of this section, such as
7 a national or local non-profit entity with exper-
8 tise in family violence, a State coalition for do-
9 mestic violence, a State coalition for sexual as-
10 sault, and a State public health agency;

11 “(2) demonstrate an ability to maintain the
12 training systems established with amounts received
13 under the grant after the expiration of the grant
14 funding and provide an assurance that such systems
15 will be maintained if determined to be effective; and

16 “(3) prepare and submit to the Director at such
17 time, in such manner, and containing such agree-
18 ments, assurances, and information as the Director
19 determines to be necessary to carry out the purposes
20 for which the grant is to be made.

21 “(c) USE OF FUNDS.—An entity shall use amounts
22 received under a grant under this section to—

23 “(1) conduct evaluations of existing family vio-
24 lence identification and treatment training pro-
25 grams; and

1 “(2) develop and implement innovative training
2 models or programs to identify and appropriately
3 treat and refer victims of family violence.

4 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
5 is authorized to be appropriated to carry out this section,
6 \$25,000,000 for fiscal year 2003, and such sums as may
7 be necessary for each of fiscal years 2004 through 2007.”.

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