

107TH CONGRESS  
2D SESSION

# S. 2980

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 2002

Referred to the Committee on Energy and Commerce

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## AN ACT

To revise and extend the Birth Defects Prevention Act of  
1998.

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 “Birth Defects and De-  
5       velopmental Disabilities Prevention Act of 2002”.

1 **SEC. 2. NATIONAL CENTER ON BIRTH DEFECTS AND DE-**  
2 **VELOPMENTAL DISABILITIES.**

3 Section 317C of the Public Health Service Act (42  
4 U.S.C. 247b-4) is amended—

5 (1) in subsection (a)(2)—

6 (A) in subparagraph (A)—

7 (i) by striking “and developmental  
8 disabilities” and inserting “, developmental  
9 disabilities, and disabilities and health”;  
10 and

11 (ii) by striking “subsection (d)(2)”  
12 and inserting “subsection (c)(2)”;

13 (B) in subparagraph (B), by striking  
14 “and” at the end;

15 (C) in subparagraph (C), by striking the  
16 period; and

17 (D) by adding at the end the following:

18 “(D) to conduct research on and to pro-  
19 mote the prevention of such birth defects, dis-  
20 abilities, and the prevention of secondary health  
21 conditions among individuals with disabilities;  
22 and

23 “(E) to support a National Spina Bifida  
24 Program to prevent and reduce suffering from  
25 the nation’s most common permanently dis-  
26 abling birth defect.”;

1 (2) by striking subsection (b);

2 (3) in subsection (d)—

3 (A) in the matter preceding paragraph (1),  
4 by striking “1999” and inserting “2004”;

5 (B) by striking paragraph (1) and insert-  
6 ing the following:

7 “(1) contains information regarding the inci-  
8 dence and prevalence of birth defects, developmental  
9 disabilities, and the health status of individuals with  
10 disabilities and the extent to which these conditions  
11 have contributed to the incidence and prevalence of  
12 infant mortality and affected quality of life;”;

13 (C) in paragraph (3), by inserting “, devel-  
14 opmental disabilities, and secondary health con-  
15 ditions among individuals with disabilities”  
16 after “defects”;

17 (D) in paragraph (4), by striking “and” at  
18 the end;

19 (E) by redesignating paragraph (5) as  
20 paragraph (7); and

21 (F) by inserting after paragraph (4), the  
22 following:

23 “(5) contains information on the incidence and  
24 prevalence of individuals living with birth defects  
25 and disabilities, developmental disabilities, and the

1 health status of individuals with disabilities, any  
2 health disparities experienced by such individuals,  
3 and recommendations for improving the health and  
4 wellness and quality of life of such individuals;

5 “(6) contains a summary of recommendations  
6 from all birth defects research conferences sponsored  
7 by the agency including conferences related to spina  
8 bifida; and”;

9 (4) in subsection (e)—

10 (A) by inserting “, including section 444 of  
11 the General Education Provisions Act,” after  
12 “privacy of information”; and

13 (B) by inserting before the period the fol-  
14 lowing: “, except that the Centers for Disease  
15 Control and Prevention shall have access to in-  
16 formation under section 444(b)(1)(F) of such  
17 Act solely for purposes of carrying out sub-  
18 section (a)(2) of this section and shall otherwise  
19 comply with all other requirements of such sec-  
20 tion 444”;

21 (5) by redesignating subsections (c), (d), and  
22 (e) as subsections (b), (c), and (d), respectively;

23 (6) by inserting after subsection (d) (as so re-  
24 designated), the following:

1       “(e) ADVISORY COMMITTEE.—Notwithstanding any  
 2 other provision of law, the members of the advisory com-  
 3 mittee appointed by the Director of the National Center  
 4 for Environmental Health that have expertise in birth de-  
 5 fects, developmental disabilities, and disabilities and  
 6 health shall be transferred to and shall advise the National  
 7 Center on Birth Defects and Developmental Disabilities  
 8 on the date of enactment of the Birth Defects and Devel-  
 9 opmental Disabilities Prevention Act of 2002.”; and

10           (7) in subsection (f), by striking “\$30,000,000”  
 11 and all that follows and inserting “such sums as  
 12 may be necessary for each of fiscal years 2003  
 13 through 2007.”.

14 **SEC. 3. TECHNICAL CORRECTIONS FOR STATE COUNCILS**  
 15 **ON DEVELOPMENTAL DISABILITIES**

16       Section 122(a) of the Developmental Disabilities As-  
 17 sistance and Bill of Rights Act of 2000 (42 3 U.S.C.  
 18 15022(a)) is amended—

19           (1) in paragraph (3)(A)(ii), by inserting before  
 20 the period the following: “, the amount received by  
 21 the State for the previous year, or the amount of  
 22 Federal appropriations received in fiscal years 2000,  
 23 2001, or 2002, whichever is greater”; and

24           (2) in paragraph (4)(A)(ii), by inserting before  
 25 the period the following: “, the amount received by

1       the State for the previous year, or the amount of  
2       Federal appropriations received in fiscal years 2000,  
3       2001, or 2002, whichever is greater”.

Passed the Senate October 2, 2002.

Attest:

JERI THOMSON,  
*Secretary.*