

108TH CONGRESS  
1ST SESSION

# H. R. 2292

To amend the Public Health Service Act to establish a program for promoting good health, disease prevention, and wellness and for the prevention of secondary conditions for persons with disabilities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2003

Mr. GILCHREST introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to establish a program for promoting good health, disease prevention, and wellness and for the prevention of secondary conditions for persons with disabilities, and for other purposes.

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 “Health Promotion and  
5 Disease Prevention for Persons with Disabilities Act”.

1 **SEC. 2. ESTABLISHMENT OF HEALTH PROMOTION AND DIS-**  
2 **EASE PREVENTION PROGRAM FOR PERSONS**  
3 **WITH DISABILITIES.**

4 Part P of title III of the Public Health Service Act  
5 (42 U.S.C. 280g et seq.) is amended by adding at the end  
6 the following new section:

7 **“SEC. 3990. ESTABLISHMENT OF HEALTH PROMOTION AND**  
8 **DISEASE PREVENTION PROGRAM FOR PER-**  
9 **SONS WITH DISABILITIES.**

10 “(a) IN GENERAL.—The Secretary may make grants  
11 to, or enter into contracts or cooperative agreements with,  
12 public and nonprofit private entities for the purpose of  
13 carrying out programs for promoting good health, disease  
14 prevention, and wellness for persons with disabilities and  
15 preventing secondary conditions in persons with disabil-  
16 ities.

17 “(b) CERTAIN AUTHORIZED ACTIVITIES.—With re-  
18 spect to promoting good health and wellness for persons  
19 with disabilities described in subsection (a), activities for  
20 which the Secretary may make a grant under such sub-  
21 section include—

22 “(1) coordinating activities for preventing sec-  
23 ondary disabling conditions; for health promotion,  
24 disease prevention, disease prevention and wellness  
25 for persons with disabilities;

1           “(2) conducting demonstrations and interven-  
2           tions;

3           “(3) conducting surveillances and studies on  
4           cost-effectiveness and efficacy of interventions;

5           “(4) studying the effects and costs of environ-  
6           mental barriers for persons with disabilities;

7           “(5) educating the public; and

8           “(6) educating and training health professionals  
9           (including allied health professionals) and con-  
10          ducting activities to improve the clinical skills of  
11          such professionals.

12          “(c) REPORTS TO SECRETARY.—The Secretary may  
13          not make a grant under subsection (a) unless the appli-  
14          cant for the grant agrees to submit to the Secretary such  
15          reports as the Secretary may require with respect to the  
16          grant.

17          “(d) PRIORITIES.—The Secretary shall establish a  
18          National Advisory Committee on Health Promotion and  
19          Disease Prevention for Persons With Disabilities which  
20          shall set priorities to carry out this section and annually  
21          evaluate the progress of the program under this section  
22          in implementing the priorities.

23          “(e) REQUIREMENT OF APPLICATION.—The Sec-  
24          retary may not make a grant under subsection (a) unless  
25          an application for such assistance is submitted to the Sec-

1 retary and the application is in such form, is made in such  
2 manner, and contains such agreements, assurances, and  
3 information as the Secretary determines to be necessary  
4 to carry out this section.

5 “(f) LIMITATION REGARDING EDUCATION OF  
6 HEALTH PROFESSIONALS.—In making grants under sub-  
7 section (a), the Secretary may not, for activities described  
8 in subsection (b)(6), obligate more than 10 percent of the  
9 amounts appropriated under subsection (k) for any fiscal  
10 year.

11 “(g) TECHNICAL ASSISTANCE.—The Secretary may  
12 provide training, technical assistance, and consultations  
13 with respect to the planning, development, and operation  
14 of any program preventing secondary disabling conditions  
15 in persons with disabilities.

16 “(h) PROVISIONS OF SUPPLIES AND SERVICES IN  
17 LIEU OF FUNDS.—

18 “(1) IN GENERAL.—On the request of grantee  
19 under subsection (a), the Secretary may, subject to  
20 paragraph (2), provide supplies, equipment, and  
21 services for the purpose of aiding the grantee in car-  
22 rying out such subsection and, for such purpose,  
23 may detail to the grantee any officer or employee of  
24 the Department of Health and Human Services.

1           “(2) CORRESPONDING REDUCTION IN PAY-  
2           MENTS.—With respect to a request described in  
3           paragraph (1), the Secretary shall reduce the  
4           amount of payments under subsection (a) to the  
5           grantee by an amount equal to the costs of detailing  
6           personnel (including pay, allowances, and travel ex-  
7           penses) and the fair market value of any supplies,  
8           equipment, or services provided by the Secretary.  
9           The Secretary shall, for the payment of expenses in-  
10          curred in complying with such request, expend the  
11          amounts withheld.

12          “(i) EVALUATIONS AND REPORTS.—

13                 “(1) EVALUATIONS.—The Secretary shall, di-  
14                 rectly or through contracts with public or private en-  
15                 tities, provide for evaluations of programs carried  
16                 out pursuant to subsection (a).

17                 “(2) REPORTS.—The Secretary shall, not later  
18                 than 18 months after the date of the enactment of  
19                 the Health Promotion and Disease Prevention for  
20                 Persons with Disabilities Act, and annually there-  
21                 after, submit to the Congress a report summarizing  
22                 evaluations carried out pursuant to paragraph (1)  
23                 during the preceding fiscal year.

24          “(j) DEFINITIONS.—For purposes of this section:

1           “(1) The term ‘prevention of secondary condi-  
2           tions’ means activities that address the causes of  
3           secondary conditions and activities and refer to the  
4           functional limitations involved and the elimination or  
5           reduction of such limitations, including activities  
6           that—

7                   “(A) eliminate or reduce the factors that  
8                   cause or predispose a person with disabilities to  
9                   acquire secondary conditions or increase func-  
10                  tional limitations;

11                   “(B) increase the early identification of ex-  
12                   isting problems to eliminate factors that create  
13                   or increase functional limitations;

14                   “(C) mitigate against the effects of disabil-  
15                   ities throughout the life of the individual; and

16                   “(D) implement programs of health pro-  
17                   motion, disease prevention and wellness to as-  
18                   sure the greatest degree of quality of life for  
19                   persons with disabilities.

20           “(k) AUTHORIZATION OF APPROPRIATIONS.—For the  
21           purpose of making grants and contracts under this sec-  
22           tion, there are authorized to be appropriated such sums  
23           as may be necessary.”.

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