

108TH CONGRESS
2D SESSION

H. R. 5320

To amend title XIX of the Social Security Act to require staff working with developmentally disabled individuals to call emergency services in the event of a life-threatening situation.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2004

Mr. HOLT (for himself, Mr. SAXTON, Mr. PAYNE, Mr. FERGUSON, Mr. FROST, and Mr. PALLONE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to require staff working with developmentally disabled individuals to call emergency services in the event of a life-threatening situation.

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. REQUIREMENT OF STAFF WORKING WITH DE-**
4 **VELOPMENTALLY DISABLED PERSONS TO**
5 **CALL EMERGENCY SERVICES IN THE EVENT**
6 **OF A LIFE-THREATENING SITUATION.**

7 (a) REQUIREMENT.—Section 1902(a) of the Social
8 Security Act (42 U.S.C. 1396a(a)) is amended—

1 (1) in paragraph (66), by striking “and” at the
2 end;

3 (2) in paragraph (67), by striking the period at
4 the end and inserting “; and”; and

5 (3) by inserting after paragraph (67) the fol-
6 lowing new paragraph:

7 “(68) provide, in accordance with regulations of
8 the Secretary, that direct care staff providing
9 health-related services to a person with a develop-
10 mental disability or traumatic brain injury are re-
11 quired to call the 911 emergency telephone service
12 or equivalent emergency management service for as-
13 sistance in the event of a life-threatening emergency
14 to such person and to report such call to the appro-
15 priate State agency or department.”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 subsection (a) take effect on January 1, 2006.

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