

109TH CONGRESS
1ST SESSION

H. R. 2541

To amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Institutes of Health regarding qualifying adult stem cell research, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2005

Mr. KING of New York (for himself, Mr. SMITH of New Jersey, Mr. NORWOOD, Mr. ISRAEL, and Mr. BISHOP of New York) 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 for the expansion, intensification, and coordination of the activities of the National Institutes of Health regarding qualifying adult stem cell research, 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 “Joe Testaverde Adult
5 Stem Cell Research Act of 2005”.

1 **SEC. 2. EXPANSION, INTENSIFICATION, AND COORDINA-**
2 **TION OF ACTIVITIES OF NATIONAL INSTI-**
3 **TUTES OF HEALTH REGARDING QUALIFYING**
4 **ADULT STEM CELL RESEARCH.**

5 Part B of title IV of the Public Health Service Act
6 (42 U.S.C. 284 et seq.) is amended by adding at the end
7 the following:

8 **“SEC. 409J. QUALIFYING ADULT STEM CELL RESEARCH.**

9 “(a) IN GENERAL.—

10 “(1) EXPANSION OF ACTIVITIES.—The Director
11 of NIH shall expand, intensify, and coordinate the
12 activities of the National Institutes of Health re-
13 garding qualifying adult stem cell research.

14 “(2) COLLABORATION AMONG AGENCIES.—The
15 Director shall carry out this section in collaboration
16 with any other agencies that the Director determines
17 appropriate.

18 “(b) CENTERS OF EXCELLENCE.—

19 “(1) IN GENERAL.—In carrying out subsection
20 (a)(1), the Director shall make awards of grants and
21 contracts to public or nonprofit private entities to
22 pay all or part of the cost of planning, establishing,
23 improving, and providing basic operating support for
24 centers of excellence regarding qualifying adult stem
25 cell research.

1 “(2) RESEARCH.—Each center shall conduct
2 basic and clinical research regarding qualifying adult
3 stem cells. Such research should include investiga-
4 tions into the cause, diagnosis, early detection, pre-
5 vention, control, and treatment of disease.

6 “(3) SERVICES FOR PATIENTS.—

7 “(A) IN GENERAL.—A center may expend
8 amounts provided under paragraph (1) to carry
9 out a program to make individuals aware of op-
10 portunities to participate as subjects in research
11 conducted by the centers.

12 “(B) REFERRALS AND COSTS.—A program
13 under subparagraph (A) may, in accordance
14 with such criteria as the Director may establish,
15 provide to the subjects described in such sub-
16 paragraph, referrals for health and other serv-
17 ices, and such patient care costs as are required
18 for research.

19 “(C) AVAILABILITY AND ACCESS.—The ex-
20 tent to which a center can demonstrate avail-
21 ability and access to clinical services shall be
22 considered by the Director in decisions about
23 awarding grants to applicants which meet the
24 scientific criteria for funding under this section.

1 “(4) COORDINATION OF CENTERS; REPORTS.—

2 The Director shall, as appropriate, provide for the
3 coordination of information among centers and en-
4 sure regular communication between such centers,
5 and may require the periodic preparation of reports
6 on the activities of the centers and the submission
7 of the reports to the Director.

8 “(5) ORGANIZATION OF CENTERS.—Each cen-
9 ter shall use the facilities of a single institution, or
10 be formed from a consortium of cooperating institu-
11 tions, meeting such requirements as may be pre-
12 scribed by the Director.

13 “(6) NUMBER OF CENTERS; DURATION OF SUP-
14 PORT.—

15 “(A) IN GENERAL.—The Director shall
16 provide for the establishment of not less than
17 five centers under paragraph (1).

18 “(B) DURATION.—Support for a center
19 may be provided under this section for a period
20 of not to exceed 5 years. Such period may be
21 extended for one or more additional periods not
22 exceeding 5 years if the operations of such cen-
23 ter have been reviewed by an appropriate tech-
24 nical and scientific peer review group estab-
25 lished by the Director and if such group has

1 recommended to the Director that such period
2 should be extended.

3 “(c) FACILITATION OF RESEARCH.—In carrying out
4 subsection (a)(1), the Director shall provide for a program
5 under which samples of tissues and genetic materials that
6 are of use in qualifying adult stem cell research are do-
7 nated, collected, preserved, and made available for such
8 research. The program shall be carried out in accordance
9 with accepted scientific and medical standards for the do-
10 nation, collection, and preservation of such samples.

11 “(d) PUBLIC INPUT.—In carrying out subsection
12 (a)(1), the Director shall provide for means through which
13 the public can obtain information on the existing and
14 planned programs and activities of the National Institutes
15 of Health regarding qualifying adult stem cell research
16 and through which the Director can receive comments
17 from the public regarding such programs and activities.

18 “(e) DEFINITIONS.—In this section:

19 “(1) The term ‘center’ means a center of excel-
20 lence under subsection (b)(1).

21 “(2) The term ‘Director’ means the Director of
22 NIH.

23 “(3) The term ‘qualifying adult stem cell’
24 means a human stem cell obtained from a human
25 placenta, umbilical cord blood, an organ or tissue of

1 a living or deceased human being who has been
2 born, or an organ or tissue of unborn human off-
3 spring who died of natural causes (such as sponta-
4 neous abortion).

5 “(f) AUTHORIZATION OF APPROPRIATIONS.—To
6 carry out this section, there are authorized to be appro-
7 priated such sums as may be necessary for fiscal year
8 2006 and each subsequent fiscal year. Such authorization
9 of appropriations is in addition to any other authorization
10 of appropriations that is available for activities of the Na-
11 tional Institutes of Health regarding qualifying adult stem
12 cell research.”.

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