

110TH CONGRESS
1ST SESSION

S. 1275

To amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2007

Mr. SCHUMER (for himself and Mrs. CLINTON) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer.

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 “Thomas J. Manton
5 Prostate Cancer Early Detection and Treatment Act of
6 2007”.

1 **SEC. 2. PROSTATE CANCER SCREENING PROGRAM.**

2 (a) IN GENERAL.—Title XV of the Public Health
3 Service Act (42 U.S.C. 300k et seq.) is amended by adding
4 at the end the following:

5 **“Subtitle 2—Prostate Cancer**

6 **“SEC. 1521. PROSTATE CANCER.**

7 “(a) GRANTS TO STATES FOR PROGRAMS TO SCREEN
8 FOR PROSTATE CANCER.—The Secretary, acting through
9 the Director of the Centers for Disease Control and Pre-
10 vention, may make grants to States to carry out programs
11 with respect to prostate cancer. The provisions of sections
12 1501 through 1508 (regarding breast and cervical cancer)
13 shall apply to grants under this subsection to the same
14 extent and in the same manner as such provisions apply
15 to grants under section 1501.

16 “(b) SUPPLEMENTAL GRANTS FOR ADDITIONAL
17 PREVENTIVE HEALTH SERVICES.—In the case of States
18 receiving grants under subsection (a), the Secretary, act-
19 ing through the Director of the Centers for Disease Con-
20 trol and Prevention, may make grants to not more than
21 3 such States to carry out demonstration projects with
22 respect to prostate cancer. The provisions of section 1509
23 (regarding breast and cervical cancer), other than section
24 1509(d), shall apply to grants under this subsection to the
25 same extent and in the same manner as such provisions
26 apply to grants under section 1509.

1 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated, such sums as may be
 3 necessary in each fiscal year to carry out this section.”.

4 (b) TECHNICAL AMENDMENTS.—Title XV of the
 5 Public Health Service Act (42 U.S.C. 300k et seq.) is
 6 amended—

7 (1) in the heading of the title, by striking
 8 **“BREAST AND CERVICAL CANCERS”** and
 9 inserting **“BREAST, CERVICAL, AND**
 10 **PROSTATE CANCERS”**;

11 (2) by inserting before section 1501 the fol-
 12 lowing:

13 **“Subtitle 1—Breast and Cervical**
 14 **Cancers”**;

15 (3) in sections 1504(c)(3)(A) and 1509(c), by
 16 striking the term “This title” each place such term
 17 appears and inserting “This subtitle”;

18 (4) in sections 1504(c)(3)(A) and 1509(c), by
 19 striking the term “such title” each place such term
 20 appears and inserting “such subtitle”; and

21 (5) in sections 1506, 1508(b), and 1510(a), by
 22 striking the term “this title” each place such term
 23 appears and inserting “this subtitle”.

1 **SEC. 3. OPTIONAL MEDICAID COVERAGE OF CERTAIN**
 2 **PROSTATE CANCER PATIENTS.**

3 (a) COVERAGE AS OPTIONAL CATEGORICALLY
 4 NEEDY GROUP AND LIMITATION ON BENEFITS.—Section
 5 1902 of the Social Security Act (42 U.S.C. 1396a) is
 6 amended—

7 (1) in subsection (a)(10)(A)(ii)(XVIII), by
 8 striking “or cervical” and inserting “, cervical, or
 9 prostate”;

10 (2) in subsection (a)(10), in the clause (XIV)
 11 following subparagraph (G), by striking “or cer-
 12 vical” and inserting “, cervical, or prostate”; and

13 (3) in subsection (aa)(3)—

14 (A) by inserting “(A)” after “(3)”;

15 (B) by striking “and” at the end and in-
 16 serting “or”; and

17 (C) by adding at the end the following new
 18 subparagraph:

19 “(B) at the option of the State, have been
 20 screened for prostate cancer under the Centers for
 21 Disease Control and Prevention prostate cancer
 22 early detection program established under section
 23 1521(a) of the Public Health Service Act and need
 24 treatment for prostate cancer; and”.

1 (b) APPLICATION OF PRESUMPTIVE ELIGIBILITY.—
 2 Section 1920B of such Act (42 U.S.C. 1396r–1b) is
 3 amended—

4 (1) in the heading by striking “OR CERVICAL”
 5 and inserting “, CERVICAL, OR PROSTATE”; and

6 (2) in subsection (a), by striking “or cervical”
 7 and inserting “, cervical, or prostate”.

8 (c) APPLICATION OF ENHANCED MATCH.—For appli-
 9 cation of enhanced Federal matching rate, see section
 10 1905(b)(4) of the Social Security Act (42 U.S.C.
 11 1396d(b)(4)).

12 (d) APPLICATION OF SPECIAL RULES ON COST-
 13 SHARING.—Section 1937(a)(2)(B)(x) of such Act (42
 14 U.S.C. 1396u–7(a)(2)(B)(x)), as added by section 6044(a)
 15 of the Deficit Reduction Act of 2005 (Public Law 109–
 16 171), is amended—

17 (1) in the heading by inserting “AND MEN IN
 18 THE PROSTATE CANCER PROGRAM” after “BREAST
 19 OR CERVICAL CANCER PROGRAM”; and

20 (2) by striking “is a woman who”.

21 (e) EFFECTIVE DATE.—The amendments made by
 22 this section shall apply to items and services furnished on
 23 or after October 1, 2006.

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