

Calendar No. 540110TH CONGRESS
1ST SESSION**S. 2004****[Report No. 110-247]**

To amend title 38, United States Code, to establish epilepsy centers of excellence in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2007

Mrs. MURRAY (for herself, Mr. CRAIG, Mr. OBAMA, and Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

DECEMBER 12, 2007

Reported by Mr. AKAKA, without amendment

A BILL

To amend title 38, United States Code, to establish epilepsy centers of excellence in the Veterans Health Administration of the Department of Veterans Affairs, 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,*

1 **SECTION 1. EPILEPSY CENTERS OF EXCELLENCE.**

2 (a) IN GENERAL.—Subchapter II of chapter 73 of
3 title 38, United States Code, is amended by adding at the
4 end the following new section:

5 **“§ 7330A. Epilepsy centers of excellence**

6 “(a) ESTABLISHMENT OF CENTERS.—(1) Not later
7 than 120 days after the date of the enactment of this sec-
8 tion, the Secretary shall, upon the recommendation of the
9 Under Secretary for Health, designate not less than six
10 Department health-care facilities as the locations for epi-
11 lepsy centers of excellence.

12 “(2) Subject to the availability of appropriations for
13 such purpose, the Secretary shall establish and operate
14 epilepsy centers of excellence at the locations designated
15 pursuant to paragraph (1).

16 “(b) DESIGNATION OF FACILITIES.—(1) The Sec-
17 retary may not designate a Department health-care facil-
18 ity as a location for an epilepsy center of excellence under
19 subsection (a)(1) unless the peer review panel established
20 under subsection (c) has determined under that subsection
21 that the proposal submitted by such facility seeking des-
22 ignation as a location for an epilepsy center of excellence
23 is among those proposals that meet the highest competi-
24 tive standards of scientific and clinical merit.

25 “(2) In choosing from among the facilities meeting
26 the requirements of paragraph (1), the Secretary shall

1 also consider appropriate geographic distribution when
2 designating the epilepsy centers of excellence under sub-
3 section (a)(1).

4 “(c) PEER REVIEW PANEL.—(1) The Under Sec-
5 retary for Health shall establish a peer review panel to
6 assess the scientific and clinical merit of proposals that
7 are submitted to the Secretary for the designation of epi-
8 lepsy centers of excellence under this section.

9 “(2)(A) The membership of the peer review panel
10 shall consist of experts on epilepsy, including post-trau-
11 matic epilepsy.

12 “(B) Members of the peer review panel shall serve
13 for a period of no longer than two years, except as speci-
14 fied in subparagraph (C).

15 “(C) Of the members first appointed to the panel,
16 one half shall be appointed for a period of three years and
17 one half shall be appointed for a period of two years, as
18 designated by the Under Secretary at the time of appoint-
19 ment.

20 “(3) The peer review panel shall review each proposal
21 submitted to the panel by the Under Secretary for Health
22 and shall submit its views on the relative scientific and
23 clinical merit of each such proposal to the Under Sec-
24 retary.

1 “(4) The peer review panel shall not be subject to
2 the Federal Advisory Committee Act.

3 “(d) EPILEPSY CENTER OF EXCELLENCE DE-
4 FINED.—In this section, the term ‘epilepsy center of excel-
5 lence’ means a Department health-care facility that has
6 (or in the foreseeable future can develop) the necessary
7 capacity to function as a center of excellence in research,
8 education, and clinical care activities in the diagnosis and
9 treatment of epilepsy and has (or may reasonably be an-
10 ticipated to develop) each of the following:

11 “(1) An affiliation with an accredited medical
12 school that provides education and training in neu-
13 rology, including an arrangement with such school
14 under which medical residents receive education and
15 training in the diagnosis and treatment of epilepsy
16 (including neurosurgery).

17 “(2) The ability to attract the participation of
18 scientists who are capable of ingenuity and creativity
19 in health-care research efforts.

20 “(3) An advisory committee composed of vet-
21 erans and appropriate health-care and research rep-
22 resentatives of the facility and of the affiliated
23 school or schools to advise the directors of such fa-
24 cility and such center on policy matters pertaining to

1 the activities of the center during the period of the
2 operation of such center.

3 “(4) The capability to conduct effectively eval-
4 uations of the activities of such center.

5 “(5) The capability to coordinate (as part of an
6 integrated national system) education, clinical care,
7 and research activities within all facilities with such
8 centers.

9 “(6) The capability to develop jointly a national
10 consortium of providers with interest in treating epi-
11 lepsy at Department health-care facilities lacking
12 such centers in order to ensure better access to
13 state-of-the-art diagnosis, research, clinical care, and
14 education for traumatic brain injury and epilepsy
15 throughout the health-care system of the Depart-
16 ment. Such consortium should include a designated
17 epilepsy referral clinic in each Veterans Integrated
18 Service Network.

19 “(7) The capability to assist in the expansion of
20 the Department’s use of information systems and
21 databases to improve the quality and delivery of care
22 for veterans enrolled within the Department’s health
23 care system.

24 “(8) The capability to assist in the expansion of
25 the Department telehealth program to develop,

1 transmit, monitor, and review neurological diag-
2 nostic tests.

3 “(9) The ability to perform epilepsy research,
4 education, and clinical care activities in collaboration
5 with Department medical facilities that have centers
6 for research, education, and clinical care activities
7 on complex multi-trauma associated with combat in-
8 juries established under section 7327 of this title.

9 “(e) NATIONAL COORDINATOR FOR EPILEPSY PRO-
10 GRAMS.—(1) To assist the Secretary and the Under Sec-
11 retary for Health in carrying out this section, the Sec-
12 retary shall designate an individual in the Veterans Health
13 Administration to act as a national coordinator for epi-
14 lepsy programs of the Veterans Health Administration.

15 “(2) The duties of the national coordinator for epi-
16 lepsy programs shall include the following:

17 “(A) To supervise the operation of the centers
18 established pursuant to this section.

19 “(B) To coordinate and support the national
20 consortium of providers with interest in treating epi-
21 lepsy at Department health-care facilities lacking
22 such centers in order to ensure better access to
23 state-of-the-art diagnosis, research, clinical care, and
24 education for traumatic brain injury and epilepsy

1 throughout the health-care system of the Depart-
2 ment.

3 “(C) To conduct regular evaluations of the epi-
4 lepsy centers of excellence to ensure compliance
5 with the requirements of this section.

6 “(3) In carrying out duties under this subsection, the
7 national coordinator for epilepsy programs shall report to
8 the official of the Veterans Health Administration respon-
9 sible for neurology.

10 “(f) AUTHORIZATION OF APPROPRIATIONS.—(1)
11 There are authorized to be appropriated \$6,000,000 for
12 each of fiscal years 2008 through 2012 for the support
13 of the clinical care, research, and education activities of
14 the epilepsy centers of excellence established and operated
15 pursuant to subsection (a)(2).

16 “(2) There are authorized to be appropriated for each
17 fiscal year after fiscal year 2012 such sums as may be
18 necessary for the support of the clinical care, research,
19 and education activities of the epilepsy centers of excel-
20 lence established and operated pursuant to subsection
21 (a)(2).

22 “(3) The Secretary shall ensure that funds for such
23 centers are designated for the first three years of oper-
24 ation as a special purpose program for which funds are

1 not allocated through the Veterans Equitable Resource Al-
2 location system.

3 “(4) In addition to amounts authorized to be appro-
4 priated under paragraphs (1) and (2) for a fiscal year,
5 the Under Secretary for Health shall allocate to such cen-
6 ters from other funds appropriated generally for the De-
7 partment medical services account and medical and pros-
8 thetics research account, as appropriate, such amounts as
9 the Under Secretary for Health determines appropriate.

10 “(5) In addition to amounts authorized to be appro-
11 priated under paragraphs (1) and (2) for a fiscal year,
12 there are authorized to be appropriated such sums as may
13 be necessary to fund the national coordinator established
14 by subsection (e).”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of chapter 73 of such title is amended
17 by inserting after the item relating to section 7330 the
18 following new item:

“7330A. Epilepsy centers of excellence.”.

Calendar No. 540

110TH CONGRESS
1ST Session

S. 2004

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