

111TH CONGRESS
1ST SESSION

H. R. 3426

To amend the Public Health Service Act to establish a Coordinated
Environmental Public Health Network.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2009

Ms. PELOSI (for herself, Ms. SLAUGHTER, Mr. MARKEY of Massachusetts, Mrs. CAPPS, Ms. SCHAKOWSKY, Ms. BALDWIN, Ms. DELAURO, Ms. MCCOLLUM, Mr. SERRANO, Mr. GRIJALVA, and Mr. HARE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish a
Coordinated Environmental Public Health Network.

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 “Coordinated Environ-
5 mental Public Health Network Act of 2009”.

6 **SEC. 2. AMENDMENT TO THE PUBLIC HEALTH SERVICE**
7 **ACT.**

8 The Public Health Service Act (42 U.S.C. 201 et
9 seq.) is amended by adding at the end the following:

1 **“TITLE XXXI—COORDINATED EN-**
2 **VIRONMENTAL PUBLIC**
3 **HEALTH NETWORK**

4 **“SEC. 3100. DEFINITIONS.**

5 “In this title:

6 “(1) ADMINISTRATOR.—The term ‘Adminis-
7 trator’ means the Administrator of the Environ-
8 mental Protection Agency.

9 “(2) COORDINATED NETWORK.—The term ‘Co-
10 ordinated Network’ means the Coordinated Environ-
11 mental Public Health Network established under
12 section 3101(a).

13 “(3) DIRECTOR.—The term ‘Director’ means
14 the Director of the Centers for Disease Control and
15 Prevention.

16 “(4) DIRECTOR OF THE CENTER.—The term
17 ‘Director of the Center’ means the Director of the
18 National Center for Environmental Health at the
19 Centers for Disease Control and Prevention.

20 “(5) MEDICAL PRIVACY REGULATIONS.—The
21 term ‘medical privacy regulations’ means the regula-
22 tions promulgated under section 264(c) of the
23 Health Insurance Portability and Accountability Act
24 of 1996.

1 “(6) PRIORITY CHRONIC CONDITIONS AND
 2 HEALTH EFFECTS.—The term ‘priority chronic con-
 3 ditions and health effects’ means the conditions, as
 4 specified by the Secretary, to be tracked in the Co-
 5 ordinated Network and the State Networks.

6 “(7) STATE NETWORK.—The term ‘State Net-
 7 work’ means a State Environmental Public Health
 8 Network established under section 3101(b).

9 “(8) STATE.—The term ‘State’ means a State,
 10 local government, territory, or Indian tribe that is
 11 eligible to receive a health tracking grant under sec-
 12 tion 3101(b).

13 **“SEC. 3101. ESTABLISHMENT OF COORDINATED AND STATE**
 14 **ENVIRONMENTAL PUBLIC HEALTH NET-**
 15 **WORKS.**

16 “(a) COORDINATED ENVIRONMENTAL PUBLIC
 17 HEALTH NETWORK.—

18 “(1) ESTABLISHMENT.—Not later than 36
 19 months after the date of the enactment of this title,
 20 the Secretary, acting through the Director, in con-
 21 sultation with the Administrator and the Director of
 22 the Center, and with the involvement of other Fed-
 23 eral agencies, and State and local health depart-
 24 ments, shall establish and operate a Coordinated
 25 Environmental Public Health Network. In estab-

lishing and operating the Coordinated Network, the
Secretary shall, as practicable—

“(A) identify, build upon, expand, and co-
ordinate among existing data and surveillance
systems, surveys, registries, and other Federal
public health and environmental infrastructure
as practicable, including—

“(i) the Public Health Information
Network;

“(ii) State birth defects surveillance
systems as supported under section 317C;

“(iii) State cancer registries as sup-
ported under part M of title III;

“(iv) State asthma surveillance sys-
tems as supported under section 317I;

“(v) the National Health and Nutri-
tion Examination Survey;

“(vi) the Behavioral Risk Factor Sur-
veillance System;

“(vii) the Hazardous Substance Re-
lease/Health Effects Database;

“(viii) the Hazardous Substances
Emergency Events Surveillance System;
and

1 “(ix) the State vital statistics systems
2 as supported under section 306;

3 “(B) provide for public access to an elec-
4 tronic national database that accepts data from
5 the State Networks on the incidence and preva-
6 lence of priority chronic conditions and health
7 effects and relevant environmental and other
8 factors, in a manner which protects personal
9 privacy consistent with the medical privacy reg-
10 ulations;

11 “(C) in order to allow the public to access
12 and understand information about environ-
13 mental health at the Federal, State, and, where
14 practicable, local level, prepare, publish, make
15 publicly available on the Web sites of the Cen-
16 ters for Disease Control and Prevention and the
17 Environmental Protection Agency, and submit
18 to Congress not later than 2 years after the
19 date of the enactment of this title, and bienni-
20 ally thereafter, a Coordinated Network Health
21 and Environment Report, including—

22 “(i) identification of gaps in the data
23 of the Network, including diseases of con-
24 cern and environmental exposures not
25 tracked;

1 “(ii) identification of activities carried
2 out under this title and key milestones
3 achieved during the preceding year; and

4 “(iii) an analysis of the most cur-
5 rently available incidence, prevalence, and
6 trends of priority chronic conditions and
7 health effects, and potentially relevant en-
8 vironmental and other factors, by State
9 and, as practicable by local areas, and rec-
10 ommendations regarding high risk popu-
11 lations, public health concerns, response
12 and prevention strategies, and additional
13 tracking needs;

14 “(D) provide for the establishment of State
15 Networks, and coordinate the State Networks
16 as provided for under subsection (b);

17 “(E) provide technical assistance to sup-
18 port the State Networks;

19 “(F) not later than 12 months after the
20 date of the enactment of this title, develop min-
21 imum standards and procedures for data collec-
22 tion and reporting for the State Networks, to
23 be updated not less than annually thereafter;
24 and

1 “(G) in developing the minimum standards
2 and procedures under subparagraph (F), in-
3 clude mechanisms for allowing the States to set
4 priorities, and allocate resources accordingly.

5 “(2) DATA COLLECTION AND REPORTING BY
6 STATE NETWORKS.—The minimum standards and
7 procedures referred to in paragraph (1)(F) shall in-
8 clude—

9 “(A) a list and definitions of the priority
10 chronic conditions and health effects to be
11 tracked through the State Networks;

12 “(B) a list and definitions of relevant envi-
13 ronmental exposures of concern to be tracked,
14 to the extent practicable, through the State
15 Networks, including—

16 “(i) hazardous air pollutants (as de-
17 fined in section 302(g) of the Clean Air
18 Act);

19 “(ii) air pollutants for which national
20 primary ambient air quality standards
21 have been promulgated under section 109
22 of the Clean Air Act;

23 “(iii) pollutants or contaminants (as
24 defined in section 101 of the Comprehen-

sive Environmental Response, Compensation, and Liability Act of 1980);

“(iv) toxic chemicals (as described in section 313 of the Emergency Planning and Community Right-to-Know Act of 1986);

“(v) substances reported under the Toxic Substances Control Act Inventory Update Rule as provided for in part 710 of title 40, Code of Federal Regulations, or successor regulations;

“(vi) pesticides (as defined in section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act); and

“(vii) such other potentially relevant environmental factors as the Secretary may specify;

“(C) a list and definitions of potentially relevant behavioral, socioeconomic, and demographic factors known to be associated with these priority chronic conditions and health effects and other risk factors, such as race, ethnic status, gender, age, occupation, and primary language, to be tracked through the State Networks;

1 “(D) procedures for the complete and
2 timely collection and reporting of data to the
3 Coordinated Network by local areas, such as a
4 census tract or other political subdivision deter-
5 mined appropriate by the Secretary, in con-
6 sultation with the Administrator, regarding the
7 factors described in subparagraphs (A), (B),
8 and (C);

9 “(E) procedures for making data available
10 to the public and researchers, and for reporting
11 to the Coordinated Network, while protecting
12 the confidentiality of all personal data reported,
13 in accordance with medical privacy regulations;
14 and

15 “(F) standards and procedures for the es-
16 tablishment, operation, and maintenance of lab-
17 oratories conducting biomonitoring, in order to
18 expand the scope and amount of biomonitoring
19 data collected by the Centers for Disease Con-
20 trol and Prevention as described in section
21 3104.

22 “(b) STATE ENVIRONMENTAL PUBLIC HEALTH NET-
23 WORKS.—

24 “(1) GRANTS.—Not later than 12 months after
25 the date of the enactment of this title, the Secretary,

1 acting through the Director, in consultation with the
2 Administrator and the Director of the Center shall
3 award grants to States for the establishment, main-
4 tenance, and operation of State Networks in accord-
5 ance with the minimum standards and procedures
6 established by the Secretary under subsection
7 (a)(1)(F).

8 “(2) SPECIALIZED ASSISTANCE.—The Coordi-
9 nated Network shall provide specialized assistance to
10 grantees in the establishment, maintenance, and op-
11 eration of State Networks.

12 “(3) REQUIREMENTS.—A State receiving a
13 grant under this subsection shall use the grant—

14 “(A) to establish an environmental public
15 health network that will provide—

16 “(i) for the tracking of the incidence,
17 prevalence, and trends of priority chronic
18 conditions and health effects, as well as
19 any additional priority chronic conditions
20 and health effects and potentially related
21 environmental exposures of concern to that
22 State;

23 “(ii) for identification of priority
24 chronic conditions and health effects and
25 potentially relevant environmental and

1 other factors that disproportionately im-
2 pact low income and minority communities;

3 “(iii) for the protection of the con-
4 fidentiality of all personal data reported, in
5 accordance with the medical privacy regu-
6 lations;

7 “(iv) a means by which confidential
8 data may, in accordance with Federal and
9 State law, be disclosed to researchers for
10 the purposes of public health research;

11 “(v) the fullest possible public access
12 to data collected by the State Network or
13 through the Coordinated Network, while
14 ensuring that individual privacy is pro-
15 tected in accordance with subsection
16 (a)(1)(B); and

17 “(vi) for the collection of exposure
18 data through biomonitoring and other
19 methods, which may include the entering
20 into of cooperative agreements as described
21 in section 3104;

22 “(B) to develop a publicly available plan
23 for establishing the State Network in order to
24 meet minimum standards and procedures as de-

1 veloped by the Secretary under subsection
2 (a)(1)(F);

3 “(C) to appoint a lead public health de-
4 partment or agency that will be responsible for
5 the development, operation, and maintenance of
6 the State Network, and ensure the appropriate
7 coordination among State and local agencies,
8 including environmental agencies, regarding the
9 development, operation, and maintenance of the
10 State Network; and

11 “(D) to recruit and train public health of-
12 ficials to continue to expand the State Network.

13 “(4) LIMITATION.—A State that receives a
14 grant under this section may not use more than 10
15 percent of the funds made available through the
16 grant for administrative costs.

17 “(5) APPLICATION.—To seek a grant under this
18 section, a State shall submit to the Secretary an ap-
19 plication at such time, in such form and manner,
20 and accompanied by such information as the Sec-
21 retary may specify.

22 “(c) PILOT PROJECTS.—

23 “(1) IN GENERAL.—A State may apply for a
24 grant under this subsection to implement a pilot
25 project that is approved by the Secretary, acting

1 through the Director and in consultation with the
2 Administrator, and the Director of the Center.

3 “(2) ACTIVITIES.—A State shall use amounts
4 received under a grant under this subsection to
5 carry out a pilot project designed to develop State
6 Network enhancements and to develop programs to
7 address specific local and regional concerns.

8 “(3) RESULTS.—The Secretary may consider
9 the results of the pilot projects under this subsection
10 for inclusion into the Coordinated Network.

11 “(d) PRIVACY.—In establishing and operating the
12 Coordinated Network under subsection (a), and in making
13 grants under subsections (b) and (c), the Secretary shall
14 ensure the protection of privacy of individually identifiable
15 health information, including ensuring protection con-
16 sistent with the regulations promulgated under section
17 264(c) of the Health Insurance Portability and Account-
18 ability Act of 1996.

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out this section
21 such sums as may be necessary for each of fiscal years
22 2010 through 2014.

1 **“SEC. 3102. INCREASING PUBLIC HEALTH PERSONNEL CA-**
2 **PACITY.**

3 “(a) IN GENERAL.—Beginning in fiscal year 2010,
4 the Secretary, acting through the Director, shall enter into
5 a cooperative agreement with the Council of State and
6 Territorial Epidemiologists to train and place, in State
7 and local health departments, applied epidemiology fellows
8 to enhance State and local public health capacity in the
9 areas of environmental health, chronic and other noninfec-
10 tious diseases and conditions, and public health surveil-
11 lance.

12 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this section
14 such sums as may be necessary for each of fiscal years
15 2010 through 2014.

16 **“SEC. 3103. GENERAL PROVISIONS.**

17 “(a) INTEGRATION OF ENVIRONMENTAL HEALTH
18 TRACKING PROGRAMS.—The Secretary shall integrate the
19 enactment of this title with all environmental health track-
20 ing programs funded prior to the date of the enactment
21 of this title, including by integrating the programs, in ex-
22 istence on the date of the enactment of this title, to de-
23 velop State Network enhancements and to develop pro-
24 grams to address specific local and regional concerns.

25 “(b) COORDINATION WITH AGENCY FOR TOXIC SUB-
26 STANCES AND DISEASE REGISTRY.—In carrying out this

1 title, the Secretary, acting through the Director, shall co-
2 ordinate activities and responses with the Agency for
3 Toxic Substances and Disease Registry.

4 **“SEC. 3104. EXPANSION OF BIOMONITORING CAPABILITIES**
5 **AND DATA COLLECTION.**

6 “(a) PURPOSE.—It is the purpose of this section to
7 expand the scope and amount of biomonitoring data col-
8 lected and analyzed by the Centers for Disease Control
9 and Prevention, State laboratories, and consortia of State
10 laboratories, in order to obtain robust information, includ-
11 ing information by geographically defined areas and sub-
12 populations, about a range of environmental exposures.

13 “(b) IN GENERAL.—In meeting the purpose of this
14 section, the Secretary shall ensure that biomonitoring data
15 are collected intramurally through appropriate sources, in-
16 cluding the National Health and Nutrition Examination
17 Survey, and extramurally shall enter into collaboration or
18 partnerships with other entities to obtain additional infor-
19 mation regarding vulnerable subpopulations or other sub-
20 populations.

21 “(c) COOPERATIVE AGREEMENTS.—

22 “(1) IN GENERAL.—The Secretary, acting
23 through the Director, shall enter into cooperative
24 agreements with States or consortia of States to
25 support the purposes of this title.

1 “(2) APPLICATIONS.—Applications for such co-
2 operative agreements by consortia of States shall ad-
3 dress the manner in which such States will coordi-
4 nate activities with other States in the region, and
5 shall designate a lead State for administrative pur-
6 poses.

7 “(3) TRAINING AND QUALITY ASSURANCE.—
8 The Secretary, acting through the Director, shall
9 through the cooperative agreements with States or a
10 consortia of States provide laboratory training and
11 quality assurance.

12 “(d) PRIVACY.—In carrying out this section, the Sec-
13 retary shall ensure the protection of privacy of individually
14 identifiable health information, including ensuring protec-
15 tion consistent with the regulations promulgated under
16 section 264(c) of the Health Insurance Portability and Ac-
17 countability Act of 1996.

18 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this section
20 such sums as may be necessary for each of fiscal years
21 2010 through 2014.”.

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