

111TH CONGRESS  
1ST SESSION

# H. R. 3680

To amend the Public Health Service Act to provide for health data regarding  
Native Hawaiians and other Pacific Islanders.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2009

Ms. BORDALLO (for herself, Mr. HONDA, Mr. FALEOMAVAEGA, and Ms. HIRONO) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to provide for  
health data regarding Native Hawaiians and other Pa-  
cific Islanders.

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 “Native Hawaiian and  
5       Other Pacific Islander Health Data Act of 2009”.

1 **SEC. 2. NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDER**  
 2 **HEALTH DATA.**

3 Part B of title III of the Public Health Service Act  
 4 (42 U.S.C. 243 et seq.) is amended by inserting after sec-  
 5 tion 317T the following:

6 **“SEC. 317U. NATIVE HAWAIIAN AND OTHER PACIFIC IS-**  
 7 **LANDER HEALTH DATA.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) COMMUNITY GROUP.—The term ‘commu-  
 10 nity group’ means a group of NHOPI who are orga-  
 11 nized at the community level, and may include a  
 12 church group, social service group, national advocacy  
 13 organization, or cultural group.

14 “(2) NONPROFIT, NONGOVERNMENTAL ORGANI-  
 15 ZATION.—The term ‘nonprofit, nongovernmental or-  
 16 ganization’ means a group of NHOPI with a dem-  
 17 onstrated history of addressing NHOPI issues, in-  
 18 cluding a NHOPI coalition.

19 “(3) DESIGNATED ORGANIZATION.—The term  
 20 ‘designated organization’ means an entity estab-  
 21 lished to represent NHOPI populations and which  
 22 has statutory responsibilities to provide, or has com-  
 23 munity support for providing, health care.

24 “(4) GOVERNMENT REPRESENTATIVES.—The  
 25 term ‘government representatives’ means representa-  
 26 tives from Hawai‘i, American Samoa, the Common-

1 wealth of the Northern Mariana Islands, the Fed-  
2 erated States of Micronesia, Guam, the Republic of  
3 Palau, and the Republic of the Marshall Islands.

4 “(5) NATIVE HAWAIIANS AND OTHER PACIFIC  
5 ISLANDERS OR NHOPI.—The term ‘Native Hawai-  
6 ians and Other Pacific Islanders’ or ‘NHOPI’ means  
7 people having origins in any of the original peoples  
8 of American Samoa, the Commonwealth of the  
9 Northern Mariana Islands, the Federated States of  
10 Micronesia, Guam, Hawai‘i, the Republic of the  
11 Marshall Islands, the Republic of Palau, or any  
12 other Pacific Island.

13 “(6) INSULAR AREA.—The term ‘insular area’  
14 means Guam, the Commonwealth of Northern Mar-  
15 iana Islands, American Samoa, the United States  
16 Virgin Islands, the Federated States of Micronesia,  
17 the Republic of Palau, or the Republic of the Mar-  
18 shall Islands.

19 “(b) NATIONAL STRATEGY.—

20 “(1) IN GENERAL.—The Secretary, acting  
21 through the Director of the National Center for  
22 Health Statistics (referred to in this section as  
23 ‘NCHS’) of the Centers for Disease Control and  
24 Prevention, and other agencies within the Depart-  
25 ment of Health and Human Services as the Sec-

1       retary determines appropriate, shall develop and im-  
2       plement an ongoing and sustainable national strat-  
3       egy for identifying and evaluating the health status  
4       and health care needs of NHOPI populations living  
5       in the continental United States, Hawai‘i, American  
6       Samoa, the Commonwealth of the Northern Mariana  
7       Islands, the Federated States of Micronesia, Guam,  
8       the Republic of Palau, and the Republic of the Mar-  
9       shall Islands.

10       “(2) CONSULTATION.—In developing and imple-  
11       menting a national strategy, as described in para-  
12       graph (1), not later than 180 days after the date of  
13       enactment of the Native Hawaiian and Other Pacific  
14       Islander Health Data Act of 2009, the Secretary—

15               “(A) shall consult with representatives of  
16               community groups, designated organizations,  
17               and nonprofit, nongovernmental organizations  
18               and with government representatives of NHOPI  
19               populations; and

20               “(B) may solicit the participation of rep-  
21               resentatives from other Federal departments.

22       “(c) PRELIMINARY HEALTH SURVEY.—

23               “(1) IN GENERAL.—The Secretary, acting  
24       through the Director of NCHS, shall conduct a pre-  
25       liminary health survey in order to identify the major

1 areas and regions in the continental United States,  
2 Hawai‘i, American Samoa, the Commonwealth of the  
3 Northern Mariana Islands, the Federated States of  
4 Micronesia, Guam, the Republic of Palau, and the  
5 Republic of the Marshall Islands in which NHOPI  
6 people reside.

7 “(2) CONTENTS.—The health survey described  
8 in paragraph (1) shall include health data and any  
9 other data the Secretary determines to be—

10 “(A) useful in determining health status  
11 and health care needs; or

12 “(B) required for developing or imple-  
13 menting a national strategy.

14 “(3) METHODOLOGY.—Methodology for the  
15 health survey described in paragraph (1), including  
16 plans for designing questions, implementation, sam-  
17 pling, and analysis, shall be developed in consulta-  
18 tion with community groups, designated organiza-  
19 tions, nonprofit, nongovernmental organizations, and  
20 government representatives of NHOPI populations,  
21 as determined by the Secretary.

22 “(4) TIMEFRAME.—The survey required under  
23 this subsection shall be completed not later than 18  
24 months after the date of enactment of the Native

1 Hawaiian and Other Pacific Islander Health Data  
2 Act of 2009.

3 “(d) PROGRESS REPORT.—Not later than 2 years  
4 after the date of enactment of the Native Hawaiian and  
5 Other Pacific Islander Health Data Act of 2009, the Sec-  
6 retary shall submit to Congress a progress report, which  
7 shall include the national strategy described in subsection  
8 (b)(1).

9 “(e) STUDY AND REPORT BY THE IOM.—

10 “(1) IN GENERAL.—The Secretary shall enter  
11 into an agreement with the Institute of Medicine to  
12 conduct a study, with input from stakeholders in in-  
13 sular areas, on the following:

14 “(A) The standards and definitions of  
15 health care applied to health care systems in in-  
16 sular areas and the appropriateness of such  
17 standards and definitions.

18 “(B) The status and performance of health  
19 care systems in insular areas, evaluated based  
20 upon standards and definitions, as the Sec-  
21 retary determines.

22 “(C) The effectiveness of donor aid in ad-  
23 dressing health care needs and priorities in in-  
24 sular areas.

1           “(D) The progress toward implementation  
2           of recommendations of the Committee on  
3           Health Care Services in the United States—As-  
4           sociated Pacific Basin of the Institute of Medi-  
5           cine that are set forth in the 1998 report, ‘Pa-  
6           cific Partnerships for Health: Charting a New  
7           Course for the 21st Century’.

8           “(2) REPORT.—An agreement described in  
9           paragraph (1) shall require the Institute of Medicine  
10          to submit to the Secretary and to Congress, not  
11          later than 2 years after the date of the enactment  
12          of the Native Hawaiian and Other Pacific Islander  
13          Health Data Act of 2009, a report containing a de-  
14          scription of the results of the study conducted under  
15          paragraph (1), including the conclusions and rec-  
16          ommendations of the Institute of Medicine for each  
17          of the items described in subparagraphs (A) through  
18          (D) of such paragraph.

19          “(f) AUTHORIZATION OF APPROPRIATIONS.—To  
20          carry out this section, there are authorized to be appro-  
21          priated such sums as may be necessary for fiscal years  
22          2010 through 2015.”.

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