

111TH CONGRESS  
1ST SESSION

# H. R. 3798

To amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible entities to train elementary and secondary school nurses on how to respond to a biological or chemical attack or an outbreak of pandemic influenza in a school building or on school grounds.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 13, 2009

Mr. ISRAEL 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 authorize the Secretary of Health and Human Services to make grants to eligible entities to train elementary and secondary school nurses on how to respond to a biological or chemical attack or an outbreak of pandemic influenza in a school building or on school grounds.

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 “School Protection Act  
5 of 2009”.

1 **SEC. 2. ESTABLISHMENT OF A PROGRAM.**

2 Title VIII of the Public Health Service Act (42  
3 U.S.C. 296 et seq.) is amended by adding at the end the  
4 following:

5 **“PART J—TRAINING NURSES FOR RESPONDING**  
6 **TO BIOTERRORISM AND PANDEMIC INFLUENZA**  
7 **“SEC. 861. GRANTS FOR RESPONDING TO BIOTERRORISM**  
8 **AND PANDEMIC INFLUENZA.**

9 “(a) GRANT PROGRAM.—The Secretary may award  
10 grants to and enter into contracts with eligible entities to  
11 train school nurses to serve as first responders and crisis  
12 managers in the event of—

13 “(1) a biological or chemical attack, including a  
14 terrorist attack, affecting individuals in a school  
15 building or on school grounds; or

16 “(2) an outbreak of pandemic influenza among  
17 students, faculty, or other individuals under their  
18 care.

19 “(b) REQUIRED ELEMENTS OF TRAINING.—Any  
20 training which is funded, in whole or in part, under this  
21 section shall prepare school nurses—

22 “(1) to take such measures as may be nec-  
23 essary, particularly in the critical early stages of an  
24 attack or outbreak described in subsection (a), to  
25 protect and preserve life;

1           “(2) as part of crisis management, to notify  
2           such public health authorities as may be appropriate  
3           to help contain or mitigate the effects of an attack  
4           or outbreak described in subsection (a); and

5           “(3) to take such other actions as may be ap-  
6           propriate and feasible, such as, in the case of a bio-  
7           logical or chemical attack, the preservation of evi-  
8           dence.

9           “(c) DEFINITIONS.—For purposes of this section:

10           “(1) ELIGIBLE ENTITIES.—The term ‘eligible  
11           entities’ shall have the same meaning as is given  
12           such term in section 801, and includes—

13                   “(A) a State educational agency (as de-  
14                   fined in section 9101(41) of the Elementary  
15                   and Secondary Education Act of 1965); and

16                   “(B) a local educational agency (as defined  
17                   in section 9101(26) of the Elementary and Sec-  
18                   ondary Education Act of 1965).

19           “(2) SCHOOL.—The term ‘school’ means—

20                   “(A) an elementary school (as defined in  
21                   section 9101(18) of the Elementary and Sec-  
22                   ondary Education Act of 1965); and

23                   “(B) a secondary school (as defined in sec-  
24                   tion 9101(38) of the Elementary and Secondary  
25                   Education Act of 1965).

1           “(3) SCHOOL GROUNDS.—The term ‘school  
2 grounds’ means the area outside of a school building  
3 that is controlled, managed, or owned by the school  
4 or school district.

5           “(d) AUTHORIZATION OF APPROPRIATIONS.—For the  
6 purpose of carrying out this section, there is authorized  
7 to be appropriated \$20,000,000 for each fiscal year after  
8 fiscal year 2009.”.

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