

113TH CONGRESS
2D SESSION

S. 2942

To establish a Hospital Fund for the treatment of individuals with Ebola or other specified infectious diseases.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2014

Mr. MARKEY (for himself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a Hospital Fund for the treatment of individuals with Ebola or other specified infectious diseases.

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 “Infectious Disease
5 Hospital Hubs Act”.

6 **SEC. 2. PUBLIC HEALTH AND SOCIAL SERVICES EMER-** 7 **GENCY FUND.**

8 Part B of title III of the Public Health Service Act
9 (42 U.S.C. 243 et seq.) is amended by inserting after sec-
10 tion 319C–2 the following:

1 **“SEC. 319C–3. TREATMENT OF INDIVIDUALS WITH EBOLA**
2 **OR OTHER INFECTIOUS DISEASES.**

3 “(a) IN GENERAL.—If the Secretary determines that
4 there is an emergency, or significant potential for an emer-
5 gency, that involves a specific infectious disease, the Sec-
6 retary, after consultation with appropriate public health
7 officials, may award grants under subsection (b) to pre-
8 pare for such emergency or potential emergency and
9 grants to provide compensatory awards under subsection
10 (c), as may be appropriate.

11 “(b) GRANTS FOR SURGE CAPACITY AND TO EN-
12 HANCE COMMUNITY AND HOSPITAL PREPAREDNESS.—

13 “(1) IN GENERAL.—The Secretary may award
14 grants to States to enable such States to improve
15 surge capacity and enhance community and hospital
16 preparedness for an emergency involving a specified
17 infectious disease.

18 “(2) ELIGIBILITY.—To be eligible for an award
19 under this subsection, a State shall—

20 “(A) designate, in consultation with the
21 Centers for Disease Control and Prevention and
22 lead health officials of the State, one or more
23 hospitals that volunteer to treat individuals with
24 a specified infectious disease; and

25 “(B) submit an application at such time,
26 in such manner, and containing such informa-

1 tion as the Secretary may require, including an
2 assurance that the State will adhere to any ap-
3 plicable guidelines established by the Secretary.

4 “(3) USE OF FUNDS.—An award under this
5 subsection shall be expended for any of the following
6 activities needed to treat individuals with a specified
7 infectious disease:

8 “(A) Renovating, constructing, or retro-
9 fitting a hospital or building.

10 “(B) Purchasing mobile specialized infec-
11 tious disease isolation units and equipment.

12 “(C) Acquiring personal protective equip-
13 ment to be used by health care workers during
14 management of patients.

15 “(D) Hiring additional staff as necessary
16 to replace staff assigned to treat individuals
17 with a specified infectious disease.

18 “(E) Overtime of existing staff for treat-
19 ment of individuals with a specified infectious
20 disease.

21 “(F) Handling, transporting, and dis-
22 posing of waste related to the specialized treat-
23 ment of a specified infectious disease.

1 “(G) Covering direct and indirect costs as-
 2 sociated with treatment of a specified infectious
 3 disease.

4 “(H) Training health care professionals
 5 and other hospital staff, as appropriate, regard-
 6 ing—

7 “(i) procedures and protocols with re-
 8 spect to a specified infectious disease;

9 “(ii) appropriate use of personal pro-
 10 tective equipment;

11 “(iii) screening questions, triage tech-
 12 niques, and health information technology
 13 related to an infectious disease, such as
 14 Ebola;

15 “(iv) identification, testing, and speci-
 16 men collection and transport procedures
 17 with respect to a specified infectious dis-
 18 ease;

19 “(v) isolation and quarantine proce-
 20 dures;

21 “(vi) cleaning and disinfection proto-
 22 cols;

23 “(vii) handling, transporting, and dis-
 24 posing of waste related to the specialized

1 treatment of a specified infectious disease;

2 or

3 “(viii) handling of human remains of

4 patients with a specified infectious disease.

5 “(4) TECHNICAL ASSISTANCE.—The Secretary,

6 acting through the Director of the Centers for Dis-

7 ease Control and Prevention, the Assistant Secretary

8 for Preparedness and Response, or other heads of

9 agencies of the Department of Health and Human

10 Services, may provide to States awarded grants

11 under this subsection technical assistance on—

12 “(A) procedures and protocols with respect

13 to a specified infectious disease;

14 “(B) appropriate use of personal protective

15 equipment;

16 “(C) screening questions, triage tech-

17 niques, and health information technology re-

18 lated to an infectious disease, such as Ebola;

19 “(D) identification, testing, and specimen

20 collection and transport procedures with respect

21 to a specified infectious disease;

22 “(E) isolation and quarantine procedures;

23 “(F) cleaning and disinfection protocols;

1 “(G) handling, transport, and disposal of
 2 waste related to the specialized treatment of a
 3 specified infectious disease; or

4 “(H) handling of human remains of pa-
 5 tients with a specified infectious disease.

6 “(c) GRANTS FOR DISTRIBUTION OF COMPENSATORY
 7 AWARDS.—

8 “(1) IN GENERAL.—The Secretary may award
 9 additional grants to States that receive a grant
 10 under subsection (b) for the purpose of distributing
 11 compensatory awards to any hospital within the
 12 State that has been designated under subsection
 13 (b)(2)(A) and has treated an individual with a speci-
 14 fied infectious disease.

15 “(2) USE OF FUNDS.—A grant awarded under
 16 this subsection shall be distributed to any hospital
 17 described in paragraph (1) in order to compensate
 18 such hospital for—

19 “(A) documented costs associated with the
 20 specialized treatment of an individual with a
 21 specified infectious disease, except such com-
 22 pensation may not be provided for the cost of
 23 any treatment, payment for which has been
 24 made, or can reasonably be expected to be
 25 made, under any State compensation program,

1 under an insurance policy, under any Federal
 2 or State health benefits program, or by an enti-
 3 ty that provides health services on prepaid
 4 basis; or

5 “(B) damages for lost business activity or
 6 lost services directly attributable to the special-
 7 ized treatment of a specific infectious disease,
 8 provided that such damages are supported by a
 9 reasonably accurate measurement or estimate,
 10 including appropriate documentation supporting
 11 the claim.

12 “(d) DEFINITIONS.—In this section—

13 “(1) the term ‘infectious disease’ means a dis-
 14 ease that the Secretary determines to be infectious
 15 and to require isolation and specialized treatment;
 16 and

17 “(2) the term ‘specified infectious disease’
 18 means an infectious disease with respect to which
 19 the Secretary determines under subsection (a) there
 20 is an emergency or a significant potential for an
 21 emergency.

22 “(e) USE OF GRANT FUNDS.—A State receiving
 23 funds under subsection (b) or (c) shall expend such funds
 24 solely for any of the purposes described in paragraphs (3)
 25 and (4) of subsection (b) or solely for disbursement to hos-

1 pitals under subsection (c)(2), as applicable. Any funds
2 not so expended or disbursed within 90 days of receipt
3 of such funds shall be returned to the Secretary and shall
4 remain available for the purpose of carrying out this sec-
5 tion.

6 “(f) AUTHORIZATION OF APPROPRIATIONS.—To
7 carry out this section, there is authorized to be appro-
8 priated \$125,000,000 for the period of fiscal years 2015
9 through 2019, to remain available until expended.”.

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