

116TH CONGRESS  
1ST SESSION

# S. 1199

To amend the Public Health Service Act to revise and extend the poison center network program.

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IN THE SENATE OF THE UNITED STATES

APRIL 11, 2019

Mrs. MURRAY (for herself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to revise and extend the poison center network program.

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 “Poison Center Network  
5 Enhancement Act of 2019”.

6 **SEC. 2. NATIONAL TOLL-FREE NUMBER.**

7 Section 1271 of the Public Health Service Act (42  
8 U.S.C. 300d–71) is amended—

1 (1) in the section heading, by inserting before  
2 the period the following: “**AND OTHER COMMU-**  
3 **UNICATION CAPABILITIES**”;

4 (2) by striking subsection (a) and inserting the  
5 following:

6 “(a) IN GENERAL.—The Secretary—

7 “(1) shall provide coordination and assistance  
8 to poison control centers for the establishment and  
9 maintenance of a nationwide toll-free phone number,  
10 to be used to access such centers; and

11 “(2) may provide coordination and assistance to  
12 poison control centers and consult with professional  
13 organizations for the establishment, implementation,  
14 and maintenance of other communication tech-  
15 nologies to be used to access such centers.”;

16 (3) by redesignating subsection (b) as sub-  
17 section (c);

18 (4) by inserting after subsection (a) the fol-  
19 lowing:

20 “(b) ROUTING CONTACTS WITH POISON CONTROL  
21 CENTERS.—Not later than 18 months after the date of  
22 enactment of the Poison Center Network Enhancement  
23 Act of 2019, the Secretary shall coordinate with the Chair-  
24 man of the Federal Communications Commission, to the  
25 extent technically and economically feasible, to ensure that

1 communications with the national toll-free number are  
2 routed to the appropriate poison control center based on  
3 the physical location of the contact rather than the area  
4 code of the contact device.”; and

5 (5) in subsection (c), as so redesignated—

6 (A) by striking “2015 through 2019” and  
7 inserting “2020 through 2024”; and

8 (B) by striking “maintenance of the na-  
9 tionwide toll free phone number under sub-  
10 section (a)” and inserting “establishment, im-  
11 plementation, and maintenance activities car-  
12 ried out under subsections (a) and (b)”.

13 **SEC. 3. NATIONWIDE MEDIA CAMPAIGN.**

14 Section 1272 of the Public Health Service Act (42  
15 U.S.C. 300d-72) is amended—

16 (1) in the section heading, by striking “**NA-**  
17 **TIONWIDE MEDIA CAMPAIGN TO PROMOTE**”  
18 and inserting “**PROMOTING**”;

19 (2) in subsection (a)—

20 (A) by inserting “and support outreach to”  
21 after “educate”;

22 (B) by striking “poison prevention” and  
23 inserting “poisoning and toxic exposure preven-  
24 tion”; and

1 (C) by striking “established under” and in-  
2 serting “and other available communication  
3 technologies established, implemented, or main-  
4 tained under”;

5 (3) in subsection (b)—

6 (A) in the matter preceding paragraph (1),  
7 by striking “nationwide poison prevention” and  
8 inserting “nationwide poisoning and toxic expo-  
9 sure prevention”; and

10 (B) in paragraph (1), by striking “poison  
11 prevention and poison control center” and in-  
12 serting “poisoning and toxic exposure preven-  
13 tion awareness materials, applicable public  
14 health emergency preparedness and response in-  
15 formation, and poison control center” after  
16 “distribution of”;

17 (4) by striking subsection (c);

18 (5) by redesignating subsection (d) as sub-  
19 section (c); and

20 (6) in subsection (c) (as so redesignated), by  
21 striking “2015 through 2019” and inserting “2020  
22 through 2024”.

23 **SEC. 4. MAINTENANCE OF PROGRAM.**

24 Section 1273 of the Public Health Service Act (42  
25 U.S.C. 300d-73) is amended—

1 (1) in subsection (a), by inserting “and toxic  
2 exposures” after “poisonings”;

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) by striking “for poison” and in-  
6 serting “for poisoning and toxic exposure”;

7 and

8 (ii) by striking “and preparedness”  
9 and inserting “preparedness and re-  
10 sponse”;

11 (B) in paragraph (3)—

12 (i) by striking “United States and”  
13 and inserting “United States,”; and

14 (ii) by inserting before the semicolon  
15 the following: “, and other government  
16 agencies as determined to be appropriate  
17 and nonduplicative by the Secretary”; and

18 (C) in paragraph (8), by striking “calls”  
19 and inserting “contacts”;

20 (3) in subsection (d), by striking paragraph (3)  
21 and inserting the following:

22 “(3) LIMITATION.—In no case may the sum of  
23 the number of years for a waiver under this sub-  
24 section exceed 5 years. Notwithstanding any pre-  
25 vious waivers, in the case of a poison control center

1 whose accreditation is affected by a public health  
2 emergency declared pursuant to section 319, the  
3 Secretary may, as the circumstances of the emer-  
4 gency reasonably require, provide a waiver under  
5 paragraph (1) or a renewal under paragraph (2) for  
6 up to 2 years.”;

7 (4) by striking subsection (f) and inserting the  
8 following:

9 “(f) MAINTENANCE OF EFFORT.—With respect to  
10 activities for which a grant is awarded under this section,  
11 the Secretary may require that poison control centers  
12 agree to maintain the expenditures of the center for such  
13 activities at a level that is not less than the level of expend-  
14 itures maintained by the center for the fiscal year pre-  
15 ceding the fiscal year for which the grant is received.”;

16 (5) In subsection (g), by striking “2015  
17 through 2019” and inserting “2020 through 2024”;  
18 and

19 (6) by adding at the end the following:

20 “(h) BIENNIAL REPORT TO CONGRESS.—Not later  
21 than 2 years after the date of enactment of the Poison  
22 Center Network Enhancement Act of 2019, and every 2  
23 years thereafter, the Secretary shall submit to the Com-  
24 mittee on Health, Education, Labor, and Pensions of the  
25 Senate and Committee on Energy and Commerce of the

1 House of Representatives a report concerning the oper-  
2 ations of, and trends identified by, the Poison Control  
3 Network. Such report shall include—

4           “(1) descriptions of the activities carried out  
5           pursuant to sections 1271, 1272, and 1273, and the  
6           alignment of such activities with the purposes pro-  
7           vided under subsection (a);

8           “(2) a description of trends in volume of con-  
9           tacts to poison control centers;

10           “(3) a description of trends in poisonings and  
11           toxic exposures reported to poison control centers, as  
12           applicable and appropriate;

13           “(4) an assessment of the impact of the public  
14           awareness campaign, including any geographic vari-  
15           ations;

16           “(5) a description of barriers, if any, preventing  
17           poison control centers from achieving the purposes  
18           and programs under this section and sections 1271  
19           and 1272;

20           “(6) a description of the standards for accredi-  
21           tation described in subsection (c), including any  
22           variations in those standards, and any efforts to cre-  
23           ate and maintain consistent standards across organi-  
24           zations that accredit poison control centers; and

- 1           “(7) the number of and reason for any waivers
- 2           provided under subsection (d).”.

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