

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide a complete substitute.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. 1199**

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

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the following:  
2

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—

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

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

3           “(a) IN GENERAL.—The Secretary—

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

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

13           (3) by redesignating subsection (b) as sub-  
14 section (c);

15           (4) by inserting after subsection (a) the fol-  
16 lowing:

17           “(b) ROUTING CONTACTS WITH POISON CONTROL  
18 CENTERS.—Not later than 18 months after the date of  
19 enactment of the Poison Center Network Enhancement  
20 Act of 2019, the Secretary shall coordinate with the Chair-  
21 man of the Federal Communications Commission, to the  
22 extent technically and economically feasible, to ensure that  
23 communications with the national toll-free number are  
24 routed to the appropriate poison control center based on

1 the physical location of the contact rather than the area  
2 code of the contact device.”; and

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

4 (A) by striking “2015 through 2019” and  
5 inserting “2020 through 2024”; and

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

11 **SEC. 3. NATIONWIDE MEDIA CAMPAIGN.**

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

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

17 (2) in subsection (a)—

18 (A) by inserting “and support outreach to”  
19 after “educate”;

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

23 (C) by striking “established under” and in-  
24 serting “and other available communication

1 technologies established, implemented, or main-  
2 tained under”;

3 (3) in subsection (b)—

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

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

15 (4) by striking subsection (c);

16 (5) by redesignating subsection (d) as sub-  
17 section (c); and

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

21 **SEC. 4. MAINTENANCE OF PROGRAM.**

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

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

1 (2) in subsection (b)—

2 (A) in paragraph (1)—

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

6 (ii) by striking “and preparedness”  
7 and inserting “preparedness and re-  
8 sponse”;

9 (B) in paragraph (3)—

10 (i) by striking “United States and”  
11 and inserting “United States,”; and

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

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

18 (3) in subsection (d) , by striking paragraph (3)  
19 and inserting the following:

20 “(3) LIMITATION.—

21 “(A) IN GENERAL.—The sum of the num-  
22 ber of years for a waiver under paragraph (1)  
23 and a renewal under paragraph (2) may not ex-  
24 ceed 5 years.

1           “(B) PUBLIC HEALTH EMERGENCY.—Not-  
2           withstanding any previous waivers, in the case  
3           of a poison control center whose accreditation is  
4           affected by a public health emergency declared  
5           pursuant to section 319, the Secretary may, as  
6           the circumstances of the emergency reasonably  
7           require, provide a waiver under paragraph (1)  
8           or a renewal under paragraph (2), not to exceed  
9           2 years. The Secretary may require quarterly  
10          reports and other information related to such a  
11          waiver or renewal under this paragraph.”;

12          (4) by striking subsection (f) and inserting the  
13          following:

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

21          (5) In subsection (g), by striking “2015  
22          through 2019” and inserting “2020 through 2024”;  
23          and

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

1       “(h) BIENNIAL REPORT TO CONGRESS.—Not later  
2 than 2 years after the date of enactment of the Poison  
3 Center Network Enhancement Act of 2019, and every 2  
4 years thereafter, the Secretary shall submit to the Com-  
5 mittee on Health, Education, Labor, and Pensions of the  
6 Senate and Committee on Energy and Commerce of the  
7 House of Representatives a report concerning the oper-  
8 ations of, and trends identified by, the Poison Control  
9 Network. Such report shall include—

10           “(1) descriptions of the activities carried out  
11 pursuant to sections 1271, 1272, and 1273, and the  
12 alignment of such activities with the purposes pro-  
13 vided under subsection (a);

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

16           “(3) a description of trends in poisonings and  
17 toxic exposures reported to poison control centers, as  
18 applicable and appropriate;

19           “(4) an assessment of the impact of the public  
20 awareness campaign, including any geographic vari-  
21 ations;

22           “(5) a description of barriers, if any, preventing  
23 poison control centers from achieving the purposes  
24 and programs under this section and sections 1271  
25 and 1272;

1           “(6) a description of the standards for accredi-  
2           tation described in subsection (c), including any  
3           variations in those standards, and any efforts to cre-  
4           ate and maintain consistent standards across organi-  
5           zations that accredit poison control centers; and

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