

# Union Calendar No. 382

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5462

[Report No. 111-642]

To authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 28, 2010

Ms. DELAURO (for herself, Mr. BURGESS, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mrs. CAPPS, Mrs. BLACKBURN, Ms. DEGETTE, Mr. COURTNEY, Ms. ESHOO, Mr. SARBANES, Mr. SESSIONS, Mr. GONZALEZ, Mr. RUSH, Mr. WEINER, Mrs. McMORRIS RODGERS, Ms. SCHAKOWSKY, Ms. MOORE of Wisconsin, Ms. SUTTON, Mr. MARKEY of Massachusetts, Mr. MATHESON, Mr. BUTTERFIELD, Ms. NORTON, Mr. TERRY, and Ms. HARMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 28, 2010

Additional sponsors: Mr. WELCH, Ms. MATSUI, Mr. SABLAN, Mr. MCNERNEY, Ms. CASTOR of Florida, Mr. HINCHEY, Mr. HALL of Texas, Mr. MURPHY of Connecticut, Ms. SLAUGHTER, Mr. BARROW, Mr. CUELLAR, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, Mr. TOWNS, Mr. McCAUL, Mr. KING of New York, Mr. KIRK, Mr. MILLER of North Carolina, Ms. LEE of California, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. McDERMOTT, Ms. GIFFORDS, Mrs. CHRISTENSEN, Mr. BILBRAY, and Mr. LIPINSKI

SEPTEMBER 28, 2010

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 28, 2010]

# **A BILL**

To authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness 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 “Birth Defects Preven-*  
5 *tion, Risk Reduction, and Awareness Act of 2010”.*

6 **SEC. 2. BIRTH DEFECTS PREVENTION, RISK REDUCTION,**  
7 **AND AWARENESS.**

8       *(a) PROGRAM.—The Public Health Service Act (42*  
9 *U.S.C. 201 et seq.) is amended by inserting after section*  
10 *317T (42 U.S.C. 247b-22) the following new section:*

11 **“SEC. 317U. BIRTH DEFECTS PREVENTION, RISK REDUC-**  
12 **TION, AND AWARENESS.**

13       *“(a) GRANT PROGRAM.—The Secretary shall establish*  
14 *and implement a birth defects prevention and public aware-*  
15 *ness program to award grants to States or organizations*  
16 *for the provision of pregnancy and breastfeeding informa-*  
17 *tion services.*

18       *“(b) PREFERENCE.—In the case of States or organiza-*  
19 *tions that are otherwise equally qualified, the Secretary, in*  
20 *awarding a grant under this section, shall give preference*  
21 *to—*

22           *“(1) States that made pregnancy and*  
23 *breastfeeding information services available on Janu-*  
24 *ary 1, 2006; and*

1           “(2) organizations that will provide pregnancy  
2           and breastfeeding information services in such States.

3           “(c) *MATCHING FUNDS.*—The Secretary may only  
4           award a grant under this section to a State or organization  
5           that agrees, with respect to the costs to be incurred in car-  
6           rying out the grant activities, to make available (directly  
7           or through donations from public or private entities) non-  
8           Federal funds toward such costs in an amount equal to not  
9           less than 25 percent of the amount of the grant.

10          “(d) *COORDINATION.*—The Secretary shall ensure that  
11          activities carried out using a grant under this section are  
12          coordinated, to the maximum extent practicable, with other  
13          birth defects prevention and environmental health activities  
14          of the Federal Government, including activities carried out  
15          by the Health Resources and Services Administration and  
16          the Centers for Disease Control and Prevention with respect  
17          to pediatric environmental health specialty units and chil-  
18          dren’s environmental health centers.

19          “(e) *EVALUATION.*—In furtherance of the program es-  
20          tablished under subsection (a), the Secretary shall provide  
21          for an evaluation of pregnancy and breastfeeding informa-  
22          tion services to identify efficient and effective models of—

23                       “(1) providing information;

24                       “(2) raising awareness and increasing knowledge  
25                       about birth defects prevention measures;

1           “(3) *modifying risk behaviors; or*

2           “(4) *other outcome measures as determined ap-*  
3           *propriate by the Secretary.*

4           “(f) *PREGNANCY AND BREASTFEEDING INFORMATION*  
5           *SERVICES DEFINED.—For purposes of this section, the term*  
6           *‘pregnancy and breastfeeding information services’ includes*  
7           *only—*

8           “(1) *information services to provide accurate,*  
9           *evidence-based, clinical information regarding mater-*  
10           *nal exposures during pregnancy or breastfeeding that*  
11           *may be associated with birth defects or other health*  
12           *risks to an infant that is breastfed, such as exposures*  
13           *to medications, chemicals, infections, foodborne patho-*  
14           *gens, illnesses, nutrition, or lifestyle factors;*

15           “(2) *the provision of accurate, evidence-based in-*  
16           *formation weighing risks of exposures during*  
17           *breastfeeding against the benefits of breastfeeding; and*

18           “(3) *the provision of information described in*  
19           *paragraph (1) or (2) through counselors, Web sites,*  
20           *fact sheets, telephonic or electronic communication,*  
21           *community outreach efforts, or other appropriate*  
22           *means.*

23           “(g) *AUTHORIZATION OF APPROPRIATIONS.—To carry*  
24           *out this section, there are authorized to be appropriated*  
25           *\$4,500,000 for fiscal year 2012, \$5,500,000 for fiscal year*

1 2013, \$6,500,000 for fiscal year 2014, \$7,500,000 for fiscal  
2 year 2015, and \$8,500,000 for fiscal year 2016.”.

Amend the title so as to read: “A bill to amend title III of the Public Health Service Act to authorize the Secretary of Health and Human Services to establish and implement a birth defects prevention, risk reduction, and public awareness program.”.



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