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MARK WALKER, CHAIRMAN



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H.R. 309 - National Clinical Care Commission Act (Olson, R-TX)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration January 9, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 309](#) would establish the National Clinical Care Commission within the Department of Health and Human Services (HHS) to evaluate and recommend solutions regarding better coordination and leveraging of programs that relate to supporting appropriate clinical care for those with autoimmune diseases and diseases resulting from insulin deficiency or resistance, such as diabetes, or complications caused by any such disease.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

According to the Majority Leader's office, CBO estimates that the bill would not have a significant effect on direct spending or revenues.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** Yes, this bill would create a new federal commission within the Department of Health and Human Services that is directed to make recommendations that could increase federal funding through federally funded clinical practice tools.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would establish the National Clinical Care Commission within the Department of Health and Human Services (HHS) to evaluate and recommend solutions regarding better coordination and leveraging of programs that relate to supporting appropriate clinical care for those with autoimmune diseases and diseases resulting from insulin deficiency or resistance, or complications caused by any such disease.

The commission would be comprised of voting members representing federal agencies and departments that address health care issues as well as additional members representing medical specialties and non-physician health care providers and experts. The commission would be required to meet at least twice a year to evaluate programs at HHS regarding the utilization of diabetes screening benefits, annual wellness visits, and other preventative health benefits that may reduce the incidence of certain diseases. In addition, the commission would identify current activities and gaps in providing care as well as make recommendations regarding the development of federally funded clinical practice support tools. The commission would also review and recommend appropriate methods for outreach and dissemination of educational resources regarding the diseases and that are funded by the federal government.

No later than three years after the first meeting of the commission, it must submit to the secretary and to Congress a final report containing all their findings and recommendations. This commission would sunset at the end of fiscal year 2021; however, after reviewing the recommendations the secretary would make a recommendation on whether the commission should be reauthorized after 2021.

A similar bill, H.R. 1192, passed the House in the 114th Congress by voice vote.

COMMITTEE ACTION:

This bill was introduced by Representative Olson and referred to the House Committee Energy and Commerce where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 18.

H.R. 315 - Improving Access to Maternity Care Act (Burgess, R-TX)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration January 9, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 315](#) would amend the Public Health Service Act to direct the Secretary of Health and Human Services to identify areas with a shortage of maternity health care professionals for the purposes of receiving assistance through the assignment of maternity health care professionals through the National Health Service Corps.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

This bill would amend the Public Health Service Act to direct the Secretary of Health and Human Services to identify areas with a shortage of maternity health care professionals for the purposes of receiving assistance through the assignment of maternity health care professionals. Once the shortage areas are identified, the secretary would publish the available data in the Federal Register comparing the availability and need of maternity health care services in health professional shortage areas. In coordination with relevant provider organizations, the secretary would distribute National Health Service Corps maternity care health professionals within health professional shortage areas using the identified targets.

A similar bill, H.R. 1209, passed the House in the 114th Congress by voice vote.

COMMITTEE ACTION:

This bill was introduced by Representative Burgess and referred to the House Committee Energy and Commerce where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: Article One, Section Eight, Clause Three "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

H.R. 302 - Sports Medicine Licensure Clarity Act (Guthrie, R-KY)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration January 9, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 302](#) would provide certain current medical liability protections for covered sports medical professionals practicing outside their primary state.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

Though the legislation does allow for insurance premium increases to offset incurred costs and risks, some conservatives may be concerned that the bill would impose mandatory coverage requirements on insures to cover out-of-state practice.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** This bill would allow sports medicine professionals to practice in a secondary state under the licensure of their home state. The bill would also require insures to provide coverage out of state, regardless of state insurance regulations
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

Currently, athletic trainers and sports medicine professionals who travel outside their home state – such as trainers with a sports team – are not provided legal protections through their medical liability insurance as they are outside the state in which they are licensed to practice. This bill would ensure covered sports medicine professionals, such as physicians or athletic trainers, who are actively carrying medical liability insurance for their primary state of practice, would be granted reciprocal protections in a secondary state and require medical malpractice insurance policies to cover such practice as though it were in the professional's home state. The covered professional would be deemed to have satisfied the licensure requirements of the secondary state when providing services to the individual or team they have accompanied.

A similar bill, H.R. 921, passed the House in the 114th Congress by voice vote.

COMMITTEE ACTION:

This bill was introduced by Representative Guthrie and referred to the House Committee Energy and Commerce where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor, Congress has the power to enact this legislation pursuant to the following: Article I, Section 8. No specific enumerating clause was included.

H.R. 304 - Protecting Patient Access to Emergency Medications Act (Hudson, R-NC)

CONTACT: [Rebekah Armstrong](#), 202-226-0678

FLOOR SCHEDULE:

Scheduled for consideration January 9, 2017 under a suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:

[H.R. 304](#) would amend the Controlled Substances Act to streamline how emergency medical service (EMS) agencies register to administer controlled substances and clarify when EMS professionals can administer a controlled substance pursuant to standing or verbal orders, which authorize the administration of specific medication based on a set of predefined medical criteria.

COST:

No Congressional Budget Office (CBO) estimate is available.

Rule 28(a)(1) of the Rules of the Republican Conference prohibit measures from being scheduled for consideration under suspension of the rules without an accompanying cost estimate. Rule 28(b) provides that the cost estimate requirement may be waived by a majority of the Elected Leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?**
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The Controlled Substances Act gives the Drug Enforcement Act (DEA) the authority to regulate controlled substances, without any specific mention of emergency medical services. Instead, the law is based on situations that take place in “brick and mortar” locations, such as permanent medical facilities. This has led to differences in enforcement and expectations between such facilities and more mobile emergency medical services (EMS) operations. Due to the variations, the DEA announced it would create universal regulations governing the use of controlled substances by EMS professionals. The proposed regulation was met with significant opposition when the DEA threatened to prohibit EMS personnel from administering controlled substances.

This bill would amend the Controlled Substances Act to allow the Attorney General to register an EMS agency to administer schedule II, III, IV, or V controlled substances if the agency submits an application demonstrating it is authorized to conduct that activity under state law. The attorney general would allow an EMS agency the option of a single registration in each state where the agency administers controlled substances in lieu of requiring a separate registration for each location of the EMS agency. Currently, some EMS medical directors are required to obtain a DEA registration for each physical station or location that houses a response unit. This could mean up to 50 separate registrations in some reported instances.

Under the bill, EMS professionals could administer a controlled substance outside the physical presence of a medical director or authorizing medical professional in the course of providing emergency care if it is authorized by state law and is pursuant to a standing order adopted by the medical director or a verbal order provided by an authorizing medical professional.

An EMS agency could receive controlled substances from a hospital for the purposes of restocking their vehicle if specific qualifications are met including, maintenance of records.

The attorney general could issue regulations with regard to the delivery of controlled substances, their storage, and the ability to deliver controlled substances in the event of a shortage or public health emergency.

A similar bill, H.R. 4365, passed the House in the 114th Congress by voice vote.

COMMITTEE ACTION:

This bill was introduced by Representative Hudson and referred to the House Committee Energy and Commerce where it awaits further action.

ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

CONSTITUTIONAL AUTHORITY:

According to the sponsor: Congress has the power to enact this legislation pursuant to the following: Per the Section 8, Clause 3 of the Constitution, Congress shall have the power to regulate Commerce with foreign nations and among the several states.

H.R. 353 — Weather Research and Forecasting Innovation Act of 2017 (Rep. Lucas, R-OK)

CONTACT: [Jennifer Weinhart](#), 202-226-0706

FLOOR SCHEDULE:

To be considered on January 9, 2017, under a suspension of the rules, which requires 2/3 majority for passage

TOPLINE SUMMARY:

[H.R. 353](#) would provide for an investment and advancement program for the National Oceanic and Atmospheric Administration's weather research, focusing on observational, computing, and modeling capabilities to improve weather forecasting and prediction of high-impact weather events. It would also increase commercial opportunities for the production of weather data.

COST:

A Congressional Budget Office (CBO) estimate is not available.

Rule 28 (a)(1) of [Rules of the House Republican Conference for the 114th Congress](#) states that the Republican Leader shall not schedule, or request to have scheduled, any bill or resolution for consideration under suspension of the Rules which fails to include a cost estimate. This rule may be waived by a vote of the elected leadership.

CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

Title I

Title I would address weather research and weather forecasting improvement. Specifically it would:

- Direct the Under Secretary of the National Oceanic and Atmospheric Administration (NOAA) to prioritize the improvement of weather data, computing, forecasting, modeling, and warning, while conducting research to improve public safety. Research goals include protecting life, property, and improving the economy.
- Direct the Office of Oceanic and Atmospheric Research (OAR) and the Weather Service to establish a weather research program aimed at developing better and more accurate warnings and forecasts of high-impact weather events. It would encourage the usage and development of a number of technologies, including advanced radar, aerial systems, modeling, atmospheric chemistry, and Observing System Stimulation Experiments. It would codify the OAR-National Weather Services (NWS) technology transfer program, moving its funding out of the NWS. It would encourage NOAA to support research the non-Federal weather research community through grants, contracts and cooperative agreements.
- Establish and create a plan for a Tornado Warning Improvement and Extension Program to improve tornado forecasts and warnings, to more than an hour before an event.
- Support the Hurricane Warning Improvement Program, to improve forecasts and warnings, including the development of a comprehensive plan.

- Require the NOAA to create a weather research plan with prioritized research initiatives. It would require the plan to identify, with the National Science Foundation, research to integrate social science knowledge into the weather warning and forecast process.
- Require the NOAA to maintain a list of observation data requirements, and to evaluate the observation systems needed to do so. It requires the NOAA to identify current and future data gaps in observing abilities.
- Require the NOAA to perform Observing System Simulation Experiments to assess the value of observing systems at specific time periods, including prior to the acquisition of government owned or leased operational observing systems, and before the purchase of any major new commercially provided data.
- Require the NOAA to issue an annual report on how the under secretary plans to: (1) support the most effective high-performance computing technologies to support weather prediction; (2) maintain a balance between research and operations requirements; (3) take advantage of advanced development concepts; and, (4) improve advanced research weather prediction using existing resources.
- Require a report on ongoing NOAA research projects. Establishes teams within the NOAA to oversee research products and create mechanisms to track progress and create research priorities. Encourages academic collaboration by facilitating visiting scholars.
- Authorize appropriations for the NOAA's Office of Oceanic and Atmospheric Research of roughly \$111.5 million for FY 17 and FY18, of which about \$85.8 million would be directed at weather laboratories and cooperative institutes, and roughly \$25.8 million would be directed at weather and air chemistry research programs. It would also authorize \$20 million for FY17 and FY18 for joint technology transfer initiatives.

Title II

Title II would address sub-seasonal and seasonal forecasting improvements. Specifically, it would:

- Require the under secretary to collect information and use existing research to forecast sub-seasonal and seasonal temperature and precipitation. It would require the NOAA to put this information in a database, and develop an internet clearinghouse for the information. It would require the director of the NWS to make the forecasts available to the public, and provide assistance to states in disseminating the information. It would require the under secretary to build on existing partnerships to improve forecasting, and to foster effective communication, through assistance to states for their forecast communication coordinators.
- Authorize \$26.5 million for FY17 and FY18 to perform the above activities.

Title III

Title III would address weather satellite and data innovation. Specifically it would:

- Require the NOAA to operationalize the Constellation Observing System for Meteorology, Ionosphere, and Climate-1 and Climate-2. It would require the NOAA to integrate ocean and coastal data from the integrated ocean observing system. It would also require the under secretary to identify any degrading in capabilities hindering the ability to forecast.
- Require the NOAA to enter into an agreement with National Academies to undertake a study and issue a report on satellite data needs.
- Authorize \$1 million to carry out the study on future data needs. The funds would come from within the NOAA's National Environmental Satellite, Data, and Information Service (NESDIS) budget.
- Make clear that the contractual purchase of weather data is not prohibited under law.
- Require the Secretary of Commerce to establish a strategy to assess the commercial opportunities for obtaining commercial weather observations and to submit the strategy to Congress.

- Establish a pilot program for providing space-based commercial weather data, including a report to Congress on the data obtained. It would authorize \$6 million for FY17 and FY18 from within the NOAA's NESDIS budget.
- Direct NOAA to enter into contracts with the private sector for the provision of data when necessary and appropriate.
- Require the under secretary to obtain commercial weather data in the event that it is not in the national interest to create a government owned system.
- Prohibit unnecessary duplication of public and private sources, funds, and personnel.

Title IV

Title IV would address federal weather coordination. Specifically, it would:

- Maintain and require NOAA's Environmental Information Services Working Group to give advice on weather research initiatives, areas for improvement, and emerging technologies. The working group would submit an annual report to the under secretary, who would in turn submit the report to Congress.
- Require the Director of the Office of Science and Technology Policy to create an Interagency Committee for Advancing Weather Services, to improve coordination of weather research and forecasting.
- Grant authority to the OAR to establish an exchange program for between 5-10 researchers to the NWS for up to one year, for the improvement of forecasting capabilities. It would require the under secretary to submit a report to Congress on program participation and any resulting innovations.
- Allow the NWS to create a program for visiting post-doctoral fellows and academic researchers at National Centers for Environmental Prediction.
- Requires the NWS to designate a warning coordination meteorologist at each weather forecast office of the NWS from within its current full time staff.
- Direct the under secretary to assess the NOAA system for issuing warnings and watches, and to submit a report to Congress.
- Reinstate a past program, the National Oceanic and Atmospheric Administration Weather Ready All Hazards Award Program, to honor those that use or provide NOAA Weather All Hazards receivers or transmitters. This program would have no cost.
- Direct the under secretary to submit a report to Congress on the impacts of the proposed Air Force divestiture in the United States Weather Research and Forecasting Model.
- Direct the under secretary to contract or partner with an external organization to analyze the NWS operations and workforce.
- Direct the under secretary to submit a report to Congress on the use of contractors at the NWS during the past fiscal year.
- Require the under secretary to review research and products to improve forecasting needs of urban environments, and to submit a report to Congress.
- Direct the under secretary to create mechanisms for outreach to weather enterprises, assessing government forecasts, products, and community needs.

COMMITTEE ACTION:

H.R. 353 was introduced on January 6, 2017 and was referred to the House Committee on Science, Space, and Technology.

ADMINISTRATION POSITION:

A Statement of Administration Policy is not available.

CONSTITUTIONAL AUTHORITY:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18.

