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**Side-by-Side Comparison of the *Bioterrorism Preparedness Act of 2001 (S. 1715)* and the *Public Health Security and Bioterrorism Response Act of 2001 (H.R. 3448)*.**

Note: Both bills amend the Public Health Service Act and other related acts.

<p><b>The Bioterrorism Preparedness Act of 2001 (S. 1715) Frist/Kennedy</b></p>	<p><b>The Public Health Security and Bioterrorism Response Act of 2001 (H.R. 3448) Tauzin/Dingell</b></p>
<p>Introduced on 11/15/01 by Sens. Bill Frist (R-TN) and Edward Kennedy (D-MA). The Senate passed the bill on 12/20/01 by a voice vote. <b>The total authority for the bill is \$3.2 Billion.</b></p>	<p>Introduced 12/11/01 by Reps. Billy Tauzin (R-LA) and John Dingell (D-MI). The House of Representatives on 12/12/01 approved the bill by a vote of 418-2. <b>The total authority for the bill is \$2.97 Billion.</b></p>
<p><b>Title I- National Goals for Bioterrorism Preparedness</b></p> <p><u>Cites the goals of the bill as follows:</u> Provide federal assistance to state and local governments in the event of a biological attack; improve public health, hospital, laboratory, communications, and emergency response preparedness and responsiveness at the state and local levels; rapidly develop and manufacture needed therapies, vaccines, and medical supplies; and enhance the safety of the nation’s food supply and protect its agriculture from biological threats and attacks.</p> <p>Requires the Secretary to report to Congress within 1 year on the preparedness of communities and recommend any new legislative authority to assist in preparedness efforts.</p>	<p><b>Title I – National Preparedness for Bioterrorism and other Public Health Emergencies</b></p> <p><b>Subtitle A – National Preparedness and Response Planning, Coordinating, and Reporting</b></p> <p>Requires the Secretary of Health and Human Services (HHS) to continue the process of developing and implementing a coordinated strategy, prepare a national plan for health-related activities to prepare for and respond to bioterrorism and other public health emergencies. <u>Cites preparedness goals as follows:</u> Provide effective assistance to state and local governments to ensure that they and their health care facilities have adequate capacity and properly trained response personnel; coordinate and plan, effective communications networks, and laboratory readiness, training and surveillance; develop and maintain medical countermeasures against biological agents; and effective coordination at all levels of government.</p> <p>Requires the Secretary to report to Congress within 1 year on the progress in achieving preparedness goals.</p>
<p><b>Title II- Improving the Federal Response to Bioterrorism</b></p> <p>Provides statutory authority for the National Pharmaceutical Stockpile. Funds the Centers for Disease Control and Prevention (CDC) for education and training initiatives and to improve the nation’s federal laboratory capacities. Requires that the HHS Secretary update the list of biological agents and toxins that are a potential threat to public health. Establishes a National Disaster Medical Response System of temporary federal health provider volunteers to respond to</p>	<p><b>Title I – National Preparedness for Bioterrorism and other Public Health Emergencies</b></p> <p><b>Subtitle A – National Preparedness and Response Planning, Coordinating, and Reporting (con’t)</b></p> <p>Authorizes the National Pharmaceutical Stockpile and requires review of the stockpile and development of a distribution plan by the HHS Secretary. Defines</p>

<p><b>The Bioterrorism Preparedness Act of 2001 (S. 1715) Frist/Kennedy</b></p> <p>national public health emergencies.</p> <p>Appoints an Assistant Secretary for Emergency Preparedness to head the HHS Office of Emergency Preparedness. Defines the procedures for declaring a national public health emergency where Congress requires 48 hours notice from HHS and waives deadlines for submission of reports and data. Expands the authority of the Secretary during the emergency period.</p> <p>Creates one interagency Working Group on Bioterrorism responsible for coordinating the development of drugs and vaccines; research on pathogens and toxins; share standards for equipment for detection and protection against infection from biological pathogens, and devise national preparedness and response efforts for biological attacks.</p> <p>Establishes the National Task Force on Children and Terrorism to meet the health needs of children in preparing for and responding to biological attacks. Creates the Emergency Public Information and Communications Task Force to provide a communications plan to disseminate information to the public regarding bioterrorism. Establishes an official federal website to provide the public information on bioterrorism preparedness and attacks.</p> <p><b>Authorizes \$763 Million for FY 2002 and such sums for each subsequent year through FY 2006.</b></p>	<p><b>The Public Health Security and Bioterrorism Response Act of 2001 (H.R. 3448) Tauzin/Dingell</b></p> <p>the role of the CDC in responding to bioterrorism and enhances the renovation, development, and security at CDC facilities. Expands public health lab capacity. Establishes national public health communications and surveillance networks and requires the Secretary to study local public health agency's ability to maintain communications during an emergency and identify best-practices for the provision of emergency response services. Provides grants for purchases of new equipment, supplies, and pharmaceuticals. Authorizes the National Disaster Medical System and requires the Secretary to establish training criteria for health providers and conduct mass casualty exercises to test the readiness of the system.</p> <p>Establishes the position of Assistant Secretary of Emergency Preparedness to coordinate HHS activities. Expands authority of the Secretary to transfer funds between appropriations accounts during a declared 90-day public health emergency.</p> <p>Expands responsibilities of the two existing interagency working groups, the Preparedness Working Group and the Public Health and Medical Working Group. Creates the National Advisory Committee on Children and Terrorism and the Emergency and Public Information Communications Advisory Committee.</p> <p><b>TITLE II – Enhancing Controls on Dangerous Biological Agents and Toxins</b></p> <p><b>Section 201. - Regulation of Certain Biological Agents and Toxins</b></p> <p>Expands regulations concerning biological agents or toxins determined by the CDC to pose "a severe threat to public health and safety" to require that all persons who possess or use such agents register with the HHS Secretary. Establishes security requirements for facilities with access to such agents and a personnel screening protocol denying access to individuals who have criminal felony records. Imposes new criminal penalties for those who violate the regulations. Regulates the development of vaccines and other products for the treatment of domestic animals.</p>
<p><b>Title III- Improving State and Local Preparedness Capabilities</b></p> <p>Replaces current law's (P.L. 106-505, 319f) competitive bioterrorism grants with a new state non-competitive program providing resources to states based on population and setting a minimum level of funding for each state's preparedness activities. States must develop bioterrorism preparedness plans to be eligible for</p>	<p><b>Title I – National Preparedness for Bioterrorism and other Public Health Emergencies</b></p> <p><b>Subtitle A – National Preparedness and Response Planning, Coordinating, and Reporting (con't)</b></p>

**The Bioterrorism Preparedness Act of 2001 (S. 1715) Frist/Kennedy**

these block grants. These grants include funds for assessing and achieving core public health capacities and fulfilling the bioterrorism preparedness plan.

**Subtitle A – Emergency Measures to Improve State and Local Preparedness**

States must submit a bioterrorism response plan to HHS that includes a description of the program and its costs; training initiatives to be undertaken; cleanup and contamination prevention efforts; and services, including mental health services, that hospitals and health care providers must provide to meet the needs of children and other vulnerable populations in the event of a biological threat or attack.

**\*\*Funds may be used to improve surveillance and response activities to prepare for an emergency response to biological attacks, including training personnel. Also, funds can be used to plan for triage, transport management, and improve the ability of the hospitals and other facilities to provide effective care, strengthen communications and coordination, and enhance the safety of the workplace.**

**Authorizes \$1.09 Billion for FY 2002 and such sums for FY 2003.**

**Subtitle B – Improving Local Preparedness and Response Capabilities**

Brings the grant process to the local level. The HHS Secretary will award project grants to designated Bioterrorism Response Medical Centers with a goal of improving local bioterrorism preparedness. ‘Eligible entities’ include a consortium of hospitals, clinics, health centers, or primary care facilities with a public health department and a political subdivision of a state. Proposals must be consistent with the state’s bioterrorism preparedness plan.

**\*\*Expands existing law (P.L. 106-505, 319f) to Fund training of health professionals to recognize the symptoms of exposure, provide treatment, recognize and treat the mental health needs in response to a potential biological threat. Funds may be directed to increase the capacity of the Bioterrorism Response Medical Centers to provide appropriate health care for large numbers of individuals; purchase reserves of vaccines, therapies, and medical supplies to be used until materials from the National Pharmaceutical Stockpile arrive; protect the health and safety of first responder personnel; and other activities determined appropriate by the Secretary.**

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**\*\*Sec. 105.** Education of health care personnel includes the establishment of core curriculum, education materials for public health emergencies, training of health care personnel, and development of education programs to recognize special needs of children and other vulnerable populations.

**\*\*Sec. 106.** Creates (Sec. 319h to PHS) grants for education and training for categories of health care professionals experiencing workforce shortages and needed to respond to public health emergencies. **Authorizes \$40 Million for FY 2002.**

**Sec. 107.** Establishes an emergency system for verifying the licenses, credentials and hospital privileges of health professions volunteers responding during public health emergencies.

**\*\*Sec. 108.** Amends existing law (PL 106-505, 319f) to enhance local preparedness activities for bioterrorism and other public health emergency. Improves coordination of preparedness for bioterrorism and public health emergencies. Expands grant authorizations for training of medical personnel and purchases of drugs and vaccines. Directs improved coordination of communications functions and encourages community-wide planning activities. **Authorizes \$455 Million for FY 2002.**

<p><b>The Bioterrorism Preparedness Act of 2001 (S. 1715) Frist/Kennedy</b></p>	<p><b>The Public Health Security and Bioterrorism Response Act of 2001 (H.R. 3448) Tauzin/Dingell</b></p>
<p><b>Authorizes \$370 Million for FY 2002 and such sums for each subsequent year through FY 2006.</b></p>	
<p><b>TITLE IV- Developing New Countermeasures Against Bioterrorism</b></p> <p>Provides funding to expand the National Pharmaceutical Stockpile of smallpox vaccine, critical pharmaceuticals, and devices. Funds research on biological agents, pathogens, and toxins including new treatments and vaccines. Expands security measures at research and production facilities.</p> <p>Ensures that the Food and Drug Administration (FDA) tests the effectiveness of vaccines, drugs, and therapeutics for many biological agents and toxins based on animal data and that the FDA will give priority drugs and vaccines an expedited review.</p> <p>Gives the HHS Secretary authority to enter into long-term contracts to purchase a designated quantity of a vaccine at a reduced price for the government. Provides a limited antitrust exemption to allow potential manufacturers to develop new vaccines and drugs.</p> <p><b>Authorizes \$509 Million and such sums necessary for FY 2003 through 2006.</b></p>	<p><b>Title I – National Preparedness for Bioterrorism and other Public Health Emergencies</b></p> <p><b>Subtitle B - National Stockpile; Development of Priority Countermeasures</b></p> <p>Expands the nation’s stockpile of smallpox vaccines and other drugs and vaccines, biological products, medical devices, and supplies to provide for the nation’s health security. Allows fast-track FDA approval for development of drugs and vaccines allowing reliance on animal trials for evaluation of certain priority drugs and vaccines for public health emergencies. Provides assistance to enhance security at facilities that conduct development, production, distribution or storage of priority drugs and vaccines. Awards grants for biomedical research and development of vaccines and diagnostic tests.</p> <p>Evaluates new and emerging technologies to detect, diagnose or conduct public health surveillance activities for public health emergencies and requires the Secretary to prioritize these technologies in the event of a bioterrorism attack. Requires the Secretary to establish quarantine provisions and to specify diseases that are subject to individual detention orders. Mandates that Potassium Iodide is made available from the National Pharmaceutical Stockpile to populations within 20 miles of a nuclear power plant.</p> <p><b>Funding for Title I, Subtitle B - National Stockpiles is authorized at \$1.1 Billion.</b></p> <p><b>Subtitle C - Emergency Authorities; Additional Provisions</b></p> <p>Increases the authority of the Secretary to respond to public health emergencies by expanding current research on rapid detection and pathogens likely to be used in bioterrorist attacks. Recognizes the role of the Agency for Toxic Substances and Disease Registry in bioterrorism and public health emergency planning and response and authorizes funding under the PHS Act to expand research on health and safety of workers who are at risk for bioterrorist threats. Provides telecommunications infrastructure grants to health care providers. Temporarily waives the mandated conditions of participation by health care providers serving Medicare, Medicaid and SHIP beneficiaries during a bioterrorism attack.</p>

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	<p><b>Funding for Title I, Subtitle C - Emergency Authorities is authorized at \$450 Million.</b></p> <p><b>Total funding for all of Title I is authorized at approximately \$ 2.5 Billion.</b></p>
<p><b>TITLE V- Protecting the Safety and Security of the Food Supply</b></p> <p>Directs the President’s Council on Food Safety and the Secretaries of Commerce and Transportation in consultation with food industry, consumers, the States to develop a crisis communication and education strategy for bioterrorism threats to the food supply. Grants the FDA the authority to use employees from other agencies and departments to conduct food inspections. Provides grants to the states to increase food safety inspections.</p> <p>Requires registration with the FDA of all foreign or domestic facilities that produce or process foods for use in the U.S. Stipulates that importers provide 4-hour notice of the identity of the product, country of origin, and quantity to be imported. Exempts USDA-regulated foods. Ensures detailed and accurate records are maintained by manufacturers, processors, packers, and those who transport or import foods. Requires that the FDA be able to trace the source and chain of distribution of food products. Prevents a person convicted of a felony from importation of adulterated or misbranded foods from future importation. Gives the FDA authority to detain foods for a limited time after inspection if the product is suspected of posing a threat of serious adverse health consequences. Foods that have been denied admission to the U.S. must be labeled indicating entry was refused.</p> <p>Provides grants to states to expand participation in FoodNet, operated by the FDA and USDA to track the incidence of illness caused by certain pathogens in geographic areas. Authorizes the FDA, CDC, and USDA to coordinate surveillance for animal and human diseases.</p> <p>Includes measures to safeguard the nation’s agriculture industry from the threats of bioterrorism by providing grants to encourage the development of vaccines and antidotes to protect the nation’s food supply, livestock, or crops. Authorizes emergency funding to update and modernize USDA research facilities.</p> <p><b>Authorizes \$524.5 Million and such sums necessary for FY 2003 through 2006.</b></p>	<p><b>TITLE III - Amendments to the Federal Food and Cosmetic Act</b></p> <p><b>Subtitle A - Protection of the Food Supply</b></p> <p>Directs the Secretary to complete an evaluation of threats to food from adulteration and report findings to Congress. Increases FDA inspections to detect adulteration of imported foods and directs the Secretary to develop improved testing techniques to detect food adulteration. Provides grants to states to increase food safety inspections.</p> <p>Requires all facilities that manufacture, process, pack, or transport foods for consumption in the U.S. register with the Secretary. Improves the information systems of FDA inspection programs and records the source and chain of distribution of foods. Gives the FDA authority to detain foods for a limited time after inspection if the product is suspected of posing a threat of serious adverse health consequences. Prevents an individual convicted of a felony from importation of adulterated or misbranded foods from future importation. Stipulates that importers provide 24 to 72-hour notice of the identity of the product, country of origin, and quantity to be imported. Foods that have been denied admission to the U.S. must be labeled indicating entry was refused. Gives notice to states regarding imported foods that present a threat of serious adverse health consequences.</p> <p><b>Subtitle B - Protection of Drug Supply</b></p> <p>Requires annual registration of foreign manufactures engaged in the import of drug and device products into the U.S. and certificates of analysis for components containing chemical or biological substance intended for export.</p> <p><b>Title III authorizes \$100 Million for FY 2002 and such sums necessary for FY 2003 through 2006.</b></p>

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No Provisions.	<p><b>TITLE IV – Drinking Water Security and Safety</b></p> <p>Amends the Safe Drinking Water Act to require community water systems serving 3,300 or more individuals to conduct a vulnerability assessment; prepare or revise an emergency response plan incorporating local emergency planning commissions; review current and future methods to prevent, detect and respond to the intentional introduction of chemical, biological or radiological contaminants into the drinking water systems; review methods and means by which could disrupt the supply of safe drinking water.</p> <p><b>Authorizes \$120 Million and such sums necessary for FY 2003 through 2004.</b></p>

**\*\* Indicates areas where nursing education might benefit.**