



MEMORANDUM

November 15, 2021

To: Committee on Energy and Commerce Members and Staff

Fr: Committee on Energy and Commerce Staff

Re: Full Committee Markup of Eight Health Bills, Two Communications and Technology Bills, and Two Consumer Protection and Commerce Bills

On Wednesday, November 17, 2021, at 10:30 a.m. (EST) in the John D. Dingell Room, 2123 of the Rayburn House Office Building, and via Cisco Webex online video conferencing, the Committee on Energy and Commerce will hold a markup of the following 12 bills:

H.R. 5561, the “Early Hearing Detection and Intervention Reauthorization Act of 2021”; **H.R. 5487**, the “Stillbirth Health Improvement and Education for Autumn Act of 2021” or the “SHINE for Autumn Act of 2021”; **H.R. 1193**, the “Cardiovascular Advances in Research and Opportunities Legacy Act” or the “CAROL Act”; **H.R. 1667**, the “Dr. Lorna Breen Health Care Provider Protection Act”; **H.R. 3320**, the “Allied Health Workforce Diversity Act of 2021”; **H.R. 4555**, the “Oral Health Literacy and Awareness Act of 2021”; **H.R. 5551**, the “Improving the Health of Children Act”; **H.R. 3537**, the “Accelerating Access to Critical Therapies for ALS Act”; **H.R. 1218**, the “Data Mapping to Save Moms’ Lives Act”; **H.R. 2501**, the “Spectrum Coordination Act”; **H.R. 5502**, the “Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act”; and **H.R. 4594**, the “Restoring Brand USA Act.”

I. H.R. 5561, THE “EARLY HEARING DETECTION AND INTERVENTION REAUTHORIZATION ACT OF 2021”

H.R. 5561, the “Early Hearing Detection and Intervention Reauthorization Act of 2021,” introduced by Reps. Guthrie (R-KY) and Matsui (D-CA), extends the authorization for Early Hearing Detection and Intervention programs at the Health Resources and Services Administration (HRSA), the Centers for Disease Control and Prevention (CDC), and the National Institutes of Health (NIH). The legislation authorizes \$17.818 million for activities at HRSA each year for fiscal years (FY) 2022-2026, and authorizes \$16 million for activities at CDC each year from FY 2022-2026.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 5561 to the full Committee by a voice vote. An amendment is expected to include a Government Accountability Office (GAO) report on data collection, best practices, and outreach efforts to reduce health disparities in the program.

II. H.R. 5487, THE “STILLBIRTH HEALTH IMPROVEMENT AND EDUCATION FOR AUTUMN ACT OF 2021” OR THE “SHINE FOR AUTUMN ACT OF 2021”

H.R. 5487, the “SHINE for Autumn Act of 2021,” introduced by Reps. Herrera Beutler (R-WA), Roybal-Allard (D-CA), Mullin (R-OK), and Castor (D-FL), seeks to improve research and data collection on stillbirths. The bill would authorize grants to states for surveillance and data collection relating to stillbirth and stillbirth risk factors, develop guidelines and education materials for state departments of health, and establish the Perinatal Pathology Fellowship Program at NIH to increase research on stillbirth. The bill is named in honor of Autumn Joy, who was stillborn on July 8, 2011. The legislation authorizes \$9 million for these activities each year from FY 2022-2026.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 5487, as amended, to the full Committee by a voice vote.

III. H.R. 1193, THE “CARDIOVASCULAR ADVANCES IN RESEARCH AND OPPORTUNITIES LEGACY ACT” OR THE “CAROL ACT”

H.R. 1193, the “CAROL Act,” introduced by Rep. Barr (R-KY), seeks to expand research on valvular heart disease (VHD) and its treatment. This legislation authorizes a grant program administered by NIH in collaboration with the National Heart, Lung, and Blood Institute (NHLBI) to support research on valvular heart disease and for convening a workshop of subject matter experts and stakeholders to identify research needs and treatment guidelines for individuals diagnosed with mitral valve prolapse, a type of VHD. The legislation authorizes \$20 million for these activities each year from FY 2022-2026. The bill also requires CDC to carry out projects to increase education, awareness, or diagnosis of VHD, and to reduce cardiac deaths caused by VHD, including publishing best practices for physicians and health care providers who provide care to individuals with VHD.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 1193, as amended, to the full Committee by a voice vote.

IV. H.R. 1667, THE “DR. LORNA BREEN HEALTH CARE PROVIDER PROTECTION ACT”

H.R. 1667, the “Dr. Lorna Breen Health Care Provider Protection Act,” introduced by Rep. Wild (D-PA) and 14 original cosponsors, requires the Department of Health and Human Services (HHS) to award grants for relevant mental and behavioral health training for health care students, residents, or professionals. This legislation would also require HHS to conduct a campaign to encourage health care providers to seek support and treatment for mental and behavioral health concerns, and disseminate best practices to prevent suicide and improve mental health and resiliency among health care providers. The legislation authorizes \$10 million for these activities each year from FY 2022-2024. In addition, HHS shall award grants to health care providers, including medical professional associations, for programs to support mental health and behavioral health needs among health care providers. The legislation authorizes \$35 million for these activities each year from FY 2022-2024. The legislation also requires HHS to

study, develop, and submit policy recommendations to Congress on policies to improve health care professional mental health and prevent burnout. Finally, the legislation requires a GAO study on how federal substance use disorder and mental health grant programs address mental health conditions and substance use disorders among health care professionals, and identify any duplication of work amongst agencies. This bill authorizes these programs for a period of three years in order to align with American Rescue Plan Act activities.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 1667, as amended, to the full Committee by a voice vote.

V. H.R. 3320, THE “ALLIED HEALTH WORKFORCE DIVERSITY ACT OF 2021”

H.R. 3320, the “Allied Health Workforce Diversity Act of 2021,” introduced by Reps. Rush (D-IL) and Mullin, would allow HHS to award grants and contracts to accredited graduate education programs to increase diversity in the physical therapy, occupational therapy, respiratory therapy, audiology, and speech-language pathology professions. Grants may be used to provide scholarships or stipends and to carry out activities to support recruitment and retention of students from underrepresented groups. The legislation authorizes \$8 million for these activities each year for five years following enactment. In addition, the bill clarifies eligibility for students for Mental and Behavioral Health Education and Training grants.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 3320, as amended, to the full Committee by a voice vote.

VI. H.R. 4555, THE “ORAL HEALTH LITERACY AND AWARENESS ACT OF 2021”

H.R. 4555, the “Oral Health Literacy and Awareness Act of 2021,” introduced by Reps. Cárdenas (D-CA) and Bilirakis (R-FL), authorizes a public education campaign across all relevant programs of HRSA to increase oral health literacy and awareness. The legislation authorizes \$750,000 for these activities each year from FY 2022-2026.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 4555 to the full Committee by a voice vote.

VII. H.R. 5551, THE “IMPROVING THE HEALTH OF CHILDREN ACT”

H.R. 5551, the “Improving the Health of Children Act,” introduced by Reps. Carter (R-GA), Cuellar (D-TX), Trahan (D-MA), Butterfield (D-NC), and Hudson (R-NC), reauthorizes the National Center on Birth Defects and Developmental Disabilities (NCBDDD) at CDC, expands the scope of programmatic work, incorporates funding for folic acid education and research into core Center duties, and increases the overall authorization level for NCBDDD to \$186,010,000 for these activities each year from FY 2022-2026.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 5551, as amended, to the full Committee by a voice vote.

VIII. H.R. 3537, THE “ACCELERATING ACCESS TO CRITICAL THERAPIES FOR ALS ACT”

H.R. 3537, the “Accelerating Access to Critical Therapies for ALS Act,” introduced by Rep. Quigley (D-IL) and 99 original cosponsors, would award grants to certain small drug manufacturers to cover the cost of investigational drugs for the prevention, diagnosis, mitigation, treatment, or cure of amyotrophic lateral sclerosis (ALS), research associated with the investigational drug, and the provision of the investigational drug to patients not eligible for clinical trials. Further, the legislation would establish a Public-Private Partnership for Neurodegenerative Diseases to support the development of treatments for ALS and other rare neurodegenerative diseases, require the Food and Drug Administration (FDA) to develop and publish an action plan to foster the development of drugs for ALS and other rare neurodegenerative diseases and facilitate access to investigational drugs for such diseases, and create a grant program at FDA for rare neurodegenerative disease research and development activities. The legislation includes a GAO study to evaluate the effectiveness of the grant programs included in the legislation within four years of enactment. The legislation would authorize \$100 million for these activities each year from FY 2022-2026.

On November 4, 2021, the Subcommittee on Health favorably forwarded H.R. 3537, as amended, to the full Committee by a voice vote.

IX. H.R. 1218, THE “DATA MAPPING TO SAVE MOMS’ LIVES ACT”

H.R. 1218, the “Data Mapping to Save Moms’ Lives Act,” introduced by Reps. Butterfield, Bilirakis, and Blunt Rochester (D-DE), requires the Federal Communications Commission (FCC) to integrate data related to maternal health outcomes into the agency’s Mapping Broadband Health in America platform within 180 days of enactment, with consultation from the CDC.

On November 3, 2021, the Subcommittee on Communications and Technology favorably forwarded H.R. 1218, as amended, to the full Committee by a voice vote.

X. H.R. 2501, THE “SPECTRUM COORDINATION ACT”

H.R. 2501, the “Spectrum Coordination Act,” introduced by Rep. Bilirakis, requires the National Telecommunications and Information Administration (NTIA) and the FCC to update the memorandum of understanding on spectrum coordination entered into in January 2003. The memorandum of understanding should be updated to: (1) improve the process for resolving Frequency allocation disputes between the two agencies; (2) ensure that spectrum is used efficiently; and (3) establish reasonable timelines in the exchange of information between the two agencies.

On November 3, 2021, the Subcommittee on Communications and Technology favorably forwarded H.R. 2501, as amended, to the full Committee by a voice vote.

XI. H.R. 5502, THE “INTEGRITY, NOTIFICATION, AND FAIRNESS IN ONLINE RETAIL MARKETPLACES FOR CONSUMERS ACT”

H.R. 5502, the “Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act,” introduced by Reps. Schakowsky (D-IL) and Bilirakis, directs online platforms that allow for third-party sellers of consumer products to verify the identity of high-volume third-party sellers, enabling consumers to identify basic identification and contact information for certain high-volume third-party sellers.

XII. H.R. 4594, THE “RESTORING BRAND USA ACT”

H.R. 4594, the “Restoring Brand USA Act,” introduced by Reps. Bilirakis and Welch (D-VT), requires the Secretary of the Treasury to make \$250 million available from unobligated balances collected by the Travel Promotion Fund before October 1, 2020, for use by the Corporation for Travel Promotion, commonly known as “Brand USA.”