

**[DISCUSSION DRAFT]**

114TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Public Health Service Act to reauthorize the World Trade Center Health Program for each of fiscal years 2016 through 2020.

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Public Health Service Act to reauthorize the World Trade Center Health Program for each of fiscal years 2016 through 2020.

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 “World Trade Center  
5 Health Program Reauthorization Act of 2015”.

1 **SEC. 2. REAUTHORIZING THE WORLD TRADE CENTER**  
2 **HEALTH PROGRAM.**

3 (a) CLINICAL CENTERS OF EXCELLENCE AND DATA  
4 CENTERS.—Section 3305 of the Public Health Service Act  
5 (42 U.S.C. 300mm–4) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)(B)—

8 (i) by striking “, and for followup”  
9 and inserting “, for followup”; and

10 (ii) by inserting before the semicolon  
11 at the end the following: “, and for activi-  
12 ties to retain such individuals in such pro-  
13 gram”; and

14 (B) in paragraph (2)(A)—

15 (i) in clause (i), by inserting “, includ-  
16 ing data on the evaluation of any new  
17 WTC-related health conditions identified  
18 under section 3304(a)” before the semi-  
19 colon; and

20 (ii) in clause (iii), by inserting “and  
21 retention” after “outreach”; and

22 (2) in subsection (b)(1)(B)(vi), by striking “sec-  
23 tion 3304(c)” and inserting “section 3304(d)”.

24 (b) ADDITION OF HEALTH CONDITIONS TO LIST FOR  
25 WTC RESPONDERS.—Section 3312(a)(6) of the Public

1 Health Service Act (42 U.S.C. 300mm–22(a)(6)) is  
2 amended—

3 (1) in subparagraph (B), in the matter pre-  
4 ceding clause (i), by striking “60 days” and insert-  
5 ing “90 days”;

6 (2) in subparagraph (C), by striking “60 days”  
7 each place the term appears and inserting “90  
8 days”; and

9 (3) by adding at the end the following:

10 “(F) INDEPENDENT PEER REVIEWS.—

11 “(i) IN GENERAL.—In the case of a  
12 petition received under subparagraph (B),  
13 prior to taking any action described in  
14 clause (ii), the WTC Program Adminis-  
15 trator shall provide for an independent  
16 peer review of the scientific and technical  
17 evidence that would be the basis for such  
18 action.

19 “(ii) ACTIONS.—An action described  
20 in this clause is any of the following:

21 “(I) Issuing a final rule to add a  
22 health condition to the list in para-  
23 graph (3).

1                   “(II) Making a determination not  
2                   to publish a proposed rule under sub-  
3                   paragraph (B)(iii).

4                   “(III) Making a determination  
5                   that insufficient evidence exists as de-  
6                   scribed in subparagraph (B)(iv).

7                   “(G) ADDITIONAL ADVISORY COMMITTEE  
8                   RECOMMENDATIONS.—

9                   “(i) PROGRAM POLICIES.—

10                   “(I) EXISTING POLICIES.—Not  
11                   later than 1 year after the date of en-  
12                   actment of the World Trade Center  
13                   Health Program Reauthorization Act  
14                   of 2015, the WTC Program Adminis-  
15                   trator shall request the Advisory Com-  
16                   mittee to review and evaluate the poli-  
17                   cies and procedures, in effect at the  
18                   time of the review and evaluation,  
19                   that are used to determine whether  
20                   sufficient evidence exists to support  
21                   adding a health condition to the list in  
22                   paragraph (3).

23                   “(II) SUBSEQUENT POLICIES.—  
24                   Prior to establishing any new policy or  
25                   procedure used to make the deter-

1                   mination described in subclause (I) or  
2                   prior to amending any policies or pro-  
3                   cedures described in such subclause,  
4                   the WTC Program Administrator  
5                   shall request the Advisory Committee  
6                   to review and evaluate such policy,  
7                   procedure, or amendment.

8                   “(ii) IDENTIFICATION OF INDIVID-  
9                   UALS CONDUCTING INDEPENDENT PEER  
10                  REVIEWS.—Not later than 1 year after the  
11                  date of enactment of the World Trade Cen-  
12                  ter Health Program Reauthorization Act of  
13                  2015 and not less than every 2 years  
14                  thereafter, the WTC Program Adminis-  
15                  trator shall seek recommendations from  
16                  the Advisory Committee regarding the  
17                  identification of individuals to conduct the  
18                  independent peer reviews under subpara-  
19                  graph (F).”.

20                  (c) PAYOR PROVISIONS.—Section 3331(d)(1)(B) of  
21                  the Public Health Service Act (42 U.S.C. 300mm–  
22                  41(d)(1)(B)) is amended—

23                         (1) by striking “2015” and inserting “2019”;

24                         and

25                         (2) by striking “2016” and inserting “2020”.

1 (d) FUNDING.—Section 3351 of the Public Health  
2 Service Act (42 U.S.C. 300mm–61) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (2)—

5 (i) in the matter preceding subpara-  
6 graph (A), by striking “2016” and insert-  
7 ing “2020”; and

8 (ii) in subparagraph (A)(ii)—

9 (I) by striking “(I) \$71,000,000”  
10 and inserting “\$71,000,000”;

11 (II) by striking “, and  
12 \$431,000,000 for fiscal year 2015;  
13 and” and inserting “, 431,000,000 for  
14 fiscal year 2015, \$306,000,000 for  
15 fiscal year 2016, \$330,000,000 for  
16 fiscal year 2017, \$370,000,000 for  
17 fiscal year 2018, \$400,000,000 for  
18 fiscal year 2019, and \$440,000,000  
19 for fiscal year 2020; plus”; and

20 (III) by striking subclause (II);

21 and

22 (B) by amending paragraph (4) to read:

23 “(4) AMOUNTS TO REMAIN AVAILABLE UNTIL  
24 EXPENDED.—Any unexpended amounts deposited

1 into the Fund under this subsection for a fiscal year  
2 shall remain available until expended.”; and

3 (2) in subsection (c)(3)—

4 (A) in subparagraph (B), by striking  
5 “and” at the end;

6 (B) in subparagraph (C)—

7 (i) by striking “for each subsequent  
8 fiscal year” and inserting “for each of fis-  
9 cal years 2013 through 2015”; and

10 (ii) by striking the period at the end  
11 and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(D) for each subsequent fiscal year,  
14 \$750,000.”.

15 **SEC. 3. GAO STUDY.**

16 Not later than 18 months after the date of the enact-  
17 ment of this Act, the Comptroller General of the United  
18 States shall submit to the Committee on Energy and Com-  
19 merce of the House of Representatives and the Committee  
20 on Health, Education, Labor, and Pensions of the Senate  
21 a report that assesses, with respect to the World Trade  
22 Center Health Program under title XXXIII of the Public  
23 Health Service Act (42 U.S.C. 300mm et seq.), the effec-  
24 tiveness of each of the following:

1           (1) The quality assurance program imple-  
2           mented under section 3301(e) of the Public Health  
3           Service Act (42 U.S.C. 300mm(e)).

4           (2) The processes for providing certifications of  
5           coverage of conditions of WTC responders as WTC-  
6           related health conditions under section  
7           3312(b)(2)(B)(iii) of the Public Health Service Act  
8           (42 U.S.C. 300mm–22(b)(2)(B)(iii)) and of condi-  
9           tions of screening-eligible WTC survivors and cer-  
10          tified-eligible WTC survivors under such section, as  
11          applied under section 3322(a) of such Act (42  
12          U.S.C. 300mm–32(a)).

13          (3) Actions under such Program to avoid im-  
14          proper payments, including determining the extent  
15          to which enrollees under such Program are eligible  
16          for workers compensation or other sources of health  
17          coverage and ascertaining the liability of such  
18          sources.

19   **SEC. 4. ELIMINATING MEDICARE PART B AND PART D PRE-**  
20                           **MIUM SUBSIDIES FOR MILLIONAIRES.**

21          (a) IN GENERAL.—Section 1839(i)(3)(C)(i) of the  
22          Social Security Act (42 U.S.C. 1395r(i)(3)(C)(i)) is  
23          amended—

24                 (1) in subclause (I), in the table, by striking the  
25          last row and inserting the following new rows:

“More than \$200,000 but, in the case of 2017, less than \$1,000,000 .....	80 percent
In the case of 2017, at least \$1,000,000 .....	100 percent.”; and

1           (2) in subclause (II), in the table, by striking  
2           the last row and inserting the following new rows:

“More than \$160,000 but less than \$1,000,000 .....	80 percent
At least \$1,000,000 .....	100 percent.”.

3           (b) **JOINT RETURNS.**—Section 1839(i)(3)(C)(ii) of  
4 the Social Security Act (42 U.S.C. 1395r(i)(3)(C)(ii)) is  
5 amended by inserting before the period the following: “ex-  
6 cept, with respect to the dollar amounts applied in the last  
7 row of each table under such clause (and the second dollar  
8 amount specified in the second to last row of each such  
9 table), clause (i) shall be applied by substituting dollar  
10 amounts which are 150 percent of such dollar amounts  
11 for the calendar year”.

12           (c) **INFLATION ADJUSTMENT.**—Section 1839(i) of  
13 the Social Security Act (42 U.S.C. 1395r(i)) is amended—

14           (1) in paragraph (5)—

15                   (A) in subparagraph (A), by striking “In  
16                   the case” and inserting “Subject to subpara-  
17                   graph (C), in the case”;

18                   (B) in subparagraph (b), by striking “sub-  
19                   paragraph (A)” and inserting “subparagraph  
20                   (A) or (C)”;

21                   (C) by adding at the end the following new  
22                   subparagraph:

1                   “(C) TREATMENT OF ADJUSTMENTS FOR  
2 MILLIONAIRES.—

3                   “(i) IN GENERAL.—Subparagraph (A)  
4 shall not apply with respect to each dollar  
5 amount in paragraph (3) of \$1,000,000.

6                   “(ii) ADJUSTMENT BEGINNING 2026.—  
7 In the case of any calendar year beginning  
8 after 2025, each dollar amount in para-  
9 graph (3) of \$1,000,000 shall be increased  
10 by an amount equal to—

11                   “(I) such dollar amount, multi-  
12 plied by

13                   “(II) the percentage (if any) by  
14 which the average of the Consumer  
15 Price Index for all urban consumers  
16 (United States city average) for the  
17 12-month period ending with August  
18 of the preceding calendar year exceeds  
19 such average for the 12-month period  
20 ending with August 2024.”; and

21                   (2) in paragraph (6)(B), by inserting “(other  
22 than \$1,000,000)” after “the dollar amounts”.