

114TH CONGRESS
2D SESSION

H. R. 1192

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2016

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with a complex metabolic or autoimmune disease, a disease resulting from insulin deficiency or insulin resistance, or complications caused by such a disease, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Clinical Care
3 Commission Act”.

4 **SEC. 2. ESTABLISHMENT OF THE NATIONAL CLINICAL**
5 **CARE COMMISSION.**

6 Part P of title III of the Public Health Service Act
7 (42 U.S.C. 280g et seq.) is amended by adding at the end
8 the following new section:

9 **“SEC. 399V-7. NATIONAL CLINICAL CARE COMMISSION.**

10 “(a) ESTABLISHMENT.—There is hereby established,
11 within the Department of Health and Human Services,
12 a National Clinical Care Commission (in this section re-
13 ferred to as the ‘Commission’) to evaluate, and rec-
14 ommend solutions regarding better coordination and
15 leveraging of, programs within the Department and other
16 Federal agencies that relate in any way to supporting ap-
17 propriate clinical care (such as any interactions between
18 physicians and other health care providers and their pa-
19 tients related to treatment and care management) for indi-
20 viduals with—

21 “(1) a complex metabolic or autoimmune dis-
22 ease;

23 “(2) a disease resulting from insulin deficiency
24 or insulin resistance; or

25 “(3) complications caused by any such disease.

26 “(b) MEMBERSHIP.—

1 “(1) IN GENERAL.—The Commission shall be
2 composed of the following voting members:

3 “(A) The heads (or their designees) of the
4 following Federal agencies and departments:

5 “(i) The Centers for Medicare & Med-
6 icaid Services.

7 “(ii) The Agency for Healthcare Re-
8 search and Quality.

9 “(iii) The Centers for Disease Control
10 and Prevention.

11 “(iv) The Indian Health Service.

12 “(v) The Department of Veterans Af-
13 fairs.

14 “(vi) The National Institutes of
15 Health.

16 “(vii) The Food and Drug Adminis-
17 tration.

18 “(viii) The Health Resources and
19 Services Administration.

20 “(ix) The Department of Defense.

21 “(B) Twelve additional voting members ap-
22 pointed under paragraph (2).

23 “(C) Such additional voting members as
24 may be appointed by the Secretary, at the Sec-
25 retary’s discretion, from among the heads (or

1 their designees) of governmental or nongovern-
2 mental entities that impact clinical care of indi-
3 viduals with any of the diseases and complica-
4 tions described in subsection (a).

5 “(2) ADDITIONAL MEMBERS.—The Commission
6 shall include additional voting members appointed by
7 the Secretary, in consultation with national medical
8 societies and patient advocacy organizations with ex-
9 pertise in the care and epidemiology of any of the
10 diseases and complications described in subsection
11 (a), including one or more such members from each
12 of the following categories:

13 “(A) Clinical endocrinologists.

14 “(B) Physician specialties (other than as
15 described in subparagraph (A)) that play a role
16 in diseases and complications described in sub-
17 section (a), such as cardiologists, nephrologists,
18 and eye care professionals.

19 “(C) Primary care physicians.

20 “(D) Non-physician health care profes-
21 sionals, such as certified diabetes educators,
22 registered dietitians and nutrition professionals,
23 nurses, nurse practitioners, and physician as-
24 sistants.

25 “(E) Patient advocates.

1 “(F) National experts in the duties listed
2 under subsection (c).

3 “(G) Health care providers furnishing
4 services to a patient population that consists of
5 a high percentage (as specified by the Sec-
6 retary) of individuals who are enrolled in a
7 State plan under title XIX of the Social Secu-
8 rity Act or who are not covered under a health
9 plan or health insurance coverage.

10 “(3) CHAIRPERSON.—The voting members of
11 the Commission shall select a chairperson from the
12 members appointed under paragraph (2) from the
13 category under paragraph (2)(A).

14 “(4) MEETINGS.—The Commission shall meet
15 at least twice, and not more than four times, a year.

16 “(5) BOARD TERMS.—Members of the Commis-
17 sion appointed pursuant to subparagraph (B) or (C)
18 of paragraph (1), including the chairperson, shall
19 serve for a 3-year term. A vacancy on the Commis-
20 sion shall be filled in the same manner as the origi-
21 nal appointments.

22 “(c) DUTIES.—The Commission shall—

23 “(1) evaluate programs of the Department of
24 Health and Human Services regarding the utiliza-
25 tion of diabetes screening benefits, annual wellness

1 visits, and other preventive health benefits that may
2 reduce the incidence of the diseases and complica-
3 tions described in subsection (a), including explain-
4 ing problems regarding such utilization and related
5 data collection mechanisms;

6 “(2) identify current activities and critical gaps
7 in Federal efforts to support clinicians in providing
8 integrated, high-quality care to individuals with any
9 of the diseases and complications described in sub-
10 section (a);

11 “(3) make recommendations regarding the co-
12 ordination of clinically-based activities that are being
13 supported by the Federal Government with respect
14 to the diseases and complications described in sub-
15 section (a);

16 “(4) make recommendations regarding the de-
17 velopment and coordination of federally funded clin-
18 ical practice support tools for physicians and other
19 health care professionals in caring for and managing
20 the care of individuals with any of the diseases and
21 complications described in subsection (a), specifically
22 with regard to implementation of new treatments
23 and technologies;

24 “(5) evaluate programs described in subsection
25 (a) that are in existence as of the date of the enact-

1 ment of this section and determine if such programs
2 are meeting the needs identified in paragraph (2)
3 and, if such programs are determined as not meet-
4 ing such needs, recommend programs that would be
5 more appropriate;

6 “(6) recommend, with respect to the diseases
7 and complications described in subsection (a), clin-
8 ical pathways for new technologies and treatments,
9 including future data collection activities, that may
10 be developed and then used to evaluate—

11 “(A) various care models and methods;
12 and

13 “(B) the impact of such models and meth-
14 ods on quality of care as measured by appro-
15 priate care parameters (such as A1C, blood
16 pressure, and cholesterol levels);

17 “(7) evaluate and expand education and aware-
18 ness activities provided to physicians and other
19 health care professionals regarding clinical practices
20 for the prevention of the diseases and complications
21 described in subsection (a);

22 “(8) review and recommend appropriate meth-
23 ods for outreach and dissemination of educational
24 resources that—

1 “(A) regard the diseases and complications
2 described in subsection (a);

3 “(B) are funded by the Federal Govern-
4 ment; and

5 “(C) are intended for health care profes-
6 sionals and the public; and

7 “(9) carry out other activities, such as activities
8 relating to the areas of public health and nutrition,
9 that the Commission deems appropriate with respect
10 to the diseases and complications described in sub-
11 section (a).

12 “(d) OPERATING PLAN.—

13 “(1) INITIAL PLAN.—Not later than 90 days
14 after its first meeting, the Commission shall submit
15 to the Secretary and the Congress an operating plan
16 for carrying out the activities of the Commission as
17 described in subsection (c). Such operating plan may
18 include—

19 “(A) a list of specific activities that the
20 Commission plans to conduct for purposes of
21 carrying out the duties described in each of the
22 paragraphs in subsection (c);

23 “(B) a plan for completing the activities;

24 “(C) a list of members of the Commission
25 and other individuals who are not members of

1 the Commission who will need to be involved to
2 conduct such activities;

3 “(D) an explanation of Federal agency in-
4 volvement and coordination needed to conduct
5 such activities;

6 “(E) a budget for conducting such activi-
7 ties;

8 “(F) a plan for evaluating the value and
9 potential impact of the Commission’s work and
10 recommendations, including the possible con-
11 tinuation of the Commission for the purposes of
12 overseeing their implementation; and

13 “(G) other information that the Commis-
14 sion deems appropriate.

15 “(2) UPDATES.—The Commission shall periodi-
16 cally update the operating plan under paragraph (1)
17 and submit such updates to the Secretary and the
18 Congress.

19 “(e) FINAL REPORT.—By not later than 3 years after
20 the date of the Commission’s first meeting, the Commis-
21 sion shall submit to the Secretary and the Congress a final
22 report containing all of the findings and recommendations
23 required by this section. Not later than 120 days after
24 the submission of the final report, the Secretary shall re-
25 view the plan required by subsection (d)(1)(F) and submit

1 to the Congress a recommendation on whether the Com-
2 mission should be reauthorized to operate after fiscal year
3 2019.

4 “(f) SUNSET.—The Commission shall terminate at
5 the end of fiscal year 2019.”.

Passed the House of Representatives November 14,
2016.

Attest:

KAREN L. HAAS,
Clerk.