

117TH CONGRESS
2D SESSION

S. 5162

To provide for a study by the National Academies of Sciences, Engineering, and Medicine on the potential benefits on population health outcomes of incorporating into the Federal legislative process tools that measure the impacts of proposed legislation (including in areas outside of health care) on health and health disparities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2022

Mr. CARDIN (for himself, Mr. BOOKER, Mr. BENNET, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for a study by the National Academies of Sciences, Engineering, and Medicine on the potential benefits on population health outcomes of incorporating into the Federal legislative process tools that measure the impacts of proposed legislation (including in areas outside of health care) on health and health disparities, 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 “Assessing Health Eval-
3 uations to Advance Decision-making Act of 2022” or the
4 “AHEAD Act of 2022”.

5 **SEC. 2. STUDY TO ASSESS THE VALUE OF USING TOOLS TO**
6 **MEASURE THE IMPACTS OF PROPOSED FED-**
7 **ERAL LEGISLATION ON HEALTH AND HEALTH**
8 **DISPARITIES.**

9 (a) STUDY.—Not later than 6 months after the date
10 of enactment of this Act, the Secretary of Health and
11 Human Services (referred to in this section as the “Sec-
12 retary”) shall enter into an arrangement with the National
13 Academies of Sciences, Engineering, and Medicine (re-
14 ferred to in this section as the “National Academies”) (or,
15 if the National Academies decline to enter into such ar-
16 rangement, with another appropriate entity such as the
17 National Academy of Public Administration) under which
18 the National Academies (or other appropriate entity) will
19 complete a study—

20 (1) to examine the potential benefits on popu-
21 lation health outcomes of incorporating into the Fed-
22 eral legislative process tools that measure the im-
23 pacts of proposed legislation (including in areas out-
24 side of health care) on health and health disparities;

1 (2) to formulate recommendations on inte-
 2 grating such tools into the Federal legislative proc-
 3 ess to achieve better population health outcomes;

4 (3) to formulate recommendations on how be-
 5 havioral and nudge research on the effects of health
 6 disparities may translate into evaluative tools for
 7 policymakers; and

8 (4) to consider, with input from the Comp-
 9 troller General of the United States, the Director of
 10 the Congressional Budget Office, and the Director of
 11 the Congressional Research Service, how such tools
 12 could be incorporated into the Federal legislative
 13 process.

14 (b) TOOLS TO BE CONSIDERED.—The tools consid-
 15 ered under the study under subsection (a) shall include
 16 health impact assessments, and may include any other
 17 tools of analysis, particularly such tools related to impacts
 18 on health and health disparities.

19 (c) SPECIFIC POPULATIONS TO BE CONSIDERED.—
 20 The study under subsection (a) shall consider the impacts
 21 described in such subsection on health and health dispari-
 22 ties within specific populations, including racial and ethnic
 23 minority groups (as defined in section 1707(g) of the Pub-
 24 lic Health Service Act (42 U.S.C. 300u–6(g))), youth,
 25 women, older adults, sexual and gender minorities, individ-

1 uals living in rural communities, individuals living in rural
 2 Tribal or urban Indian communities, individuals living in
 3 regions with persistent poverty, individuals with co-morbid
 4 conditions, individuals with disabilities, individuals who
 5 are homeless, and individuals involved with the criminal
 6 justice system, among others.

7 (d) CONGRESSIONAL AND REGULATORY PROCESS
 8 OPTIONS.—The study under subsection (a) shall consider
 9 how assessments of potential population health outcomes
 10 could be incorporated into Federal legislative and regu-
 11 latory processes, including by evaluating options with re-
 12 spect to—

13 (1) methodological tools for evaluating evi-
 14 dentiary standards across multiple disciplines and
 15 the potential benefits and negative effects of a pro-
 16 posed policy;

17 (2) the processes and considerations for pre-
 18 paring a population health outcomes report, includ-
 19 ing time, resources, community consultation, and
 20 competencies required to review relevant scientific
 21 literature;

22 (3) entities that conduct population health out-
 23 comes reports by comparing the experiences of State
 24 and local jurisdictions that have incorporated health

1 impacts assessments in legislative or regulatory
2 processes; and

3 (4) potential uses of a population health out-
4 comes report in the Federal legislative and regu-
5 latory processes.

6 (e) REPORT.—The arrangement under subsection (a)
7 shall provide for the submission of a report on the results
8 of the study under such subsection, not later than 30
9 months after the date of enactment of this Act, to the
10 Secretary, the Committee on Health, Education, Labor,
11 and Pensions of the Senate, and the Committee on Energy
12 and Commerce of the House of Representatives.

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