

VETERINARY PUBLIC HEALTH AMENDMENTS ACT OF
2010

SEPTEMBER 28, 2010.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. WAXMAN, from the Committee on Energy and Commerce,
submitted the following

R E P O R T

[To accompany H.R. 2999]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 2999) to amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterinary Public Health Amendments Act of 2010”.

SEC. 2. INCLUSION OF VETERINARY PUBLIC HEALTH IN CERTAIN PUBLIC HEALTH WORKFORCE PROVISIONS.

(a) **PUBLIC HEALTH WORKFORCE GRANTS.**—Subsections (b)(1)(A) and (d)(6) of section 765 of the Public Health Service Act (42 U.S.C. 295) are amended by inserting “veterinary public health,” after “preventive medicine,” each place it appears.

(b) **PUBLIC HEALTH WORKFORCE LOAN REPAYMENT PROGRAM.**—

(1) **IN GENERAL.**—Subparagraphs (A) and (B) of section 776(b)(1) of the Public Health Service Act (42 U.S.C. 295f–1(b)(1)) are amended by striking “public health or health professions degree or certificate” each place it appears and inserting “public health (including veterinary public health) or health professions degree or certificate”.

(2) **TECHNICAL CORRECTION.**—Subparagraph (A) of section 776(b)(1) of the Public Health Service Act (42 U.S.C. 295f–1(b)(1)) is amended by adding “or” at the end.

(c) **DEFINITION.**—Section 799B of the Public Health Service Act (42 U.S.C. 295p) is amended by adding at the end the following:

“(27) **VETERINARY PUBLIC HEALTH.**—The term ‘veterinary public health’ includes veterinarians engaged in one or more of the following areas to the extent such areas have an impact on human health: biodefense and emergency preparedness, emerging and reemerging infectious diseases, environmental health, ecosystem health, pre- and post-harvest food protection, regulatory medicine, diagnostic laboratory medicine, veterinary pathology, biomedical research, the practice of food animal medicine in rural areas, and government practice.”.

PURPOSE AND SUMMARY

H.R. 2999, the “Veterinary Public Health Workforce and Education Act”, was introduced on June 23, 2009, by Rep. Tammy Baldwin (D–WI), and referred to the Committee on Energy and Commerce.

The goal of H.R. 2999 is to help increase the number of veterinary public health professionals. The bill provides resources toward that end.

BACKGROUND AND NEED FOR LEGISLATION

Veterinary medicine is an important component of our public health system.¹ Veterinarians protect human health through early detection and response to disease events that can be linked to newly-emerging infectious diseases, such as SARS or West Nile Virus. They can also assist in the response to threats, such as the 2009 H1N1 (flu) outbreak.

There are critical shortages of veterinarians working in public health disciplines. A February 2009 report from the Government Accountability Office warns that “there is a growing shortage of veterinarians nationwide, particularly of veterinarians who care for animals raised for food, serve in rural communities, and have training in public health.”² Furthermore, the report states that the “veterinarian shortage is expected to worsen” even as “the demand for veterinarians is expected to increase.”

¹World Health Organization Study Group on Future Trends in Veterinary Public Health, *Future Trends in Veterinary Public Health* (2002).

²Government Accountability Office, *Veterinarian Workforce: Actions Are Needed to Ensure Sufficient Capacity for Protecting Public and Animal Health* (Feb. 4, 2009) (GAO–09–178).

Since 1967, the Health Resources and Services Administration (HRSA) and its precedent organizations, have administered programs supporting health professionals, including public health professionals. Section 765 of the Public Health Service Act (PHSA) currently provides authority for the Secretary of the Department of Health and Human Services (HHS) to award grants to, or enter into contracts with, training institutions to increase the number of individuals in the public health workforce; to enhance the quality of the workforce; and to enhance the ability of the workforce to meet national, state, and local needs. Additionally, the Patient Protection and Affordable Care Act (P.L. 111–148) authorized a new loan repayment program in PHSA Section 776 to support public health professionals that serve in federal, state, local, and tribal public health agencies. While veterinary public health professionals are not excluded from participation in these programs, their participation is not explicitly required or permitted.

COMMITTEE CONSIDERATION

H.R. 2999, the “Veterinary Public Health Amendments Act of 2010”, was introduced by Ms. Baldwin of Wisconsin on June 23, 2009, and referred to the Committee on Energy and Commerce. The bill was subsequently referred to the Subcommittee on Health on June 24, 2009. On September 15, 2010, the Subcommittee held a legislative hearing on the bill. The Subcommittee met in open markup session to consider H.R. 2999 on September 16, 2010. An amendment in the nature of a substitute (manager’s amendment) by Ms. Baldwin was adopted by a voice vote. Subsequently, H.R. 2999 was favorably forwarded to the full Committee, amended, by a voice vote.

On September 23, 2010, the Committee on Energy and Commerce met in open markup session to consider H.R. 2999 as approved by the Subcommittee on Health. An amendment offered by Ms. Baldwin was adopted by a voice vote. Subsequently the Committee ordered H.R. 2999 favorably reported to the House, amended, by a voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list each record vote on the motion to report legislation and amendments thereto. A motion by Mr. Waxman ordering H.R. 2999 reported to the House, amended, was approved by a voice vote. There were no record votes taken during consideration of this bill.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the oversight findings and recommendations of the Committee are reflected in the descriptive portions of this report, including the finding that there are shortages of veterinarians working in public health disciplines.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX
EXPENDITURES

Regarding compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 2999 would result in no new budget authority, entitlement authority, or tax expenditures or revenues.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of the Committee are reflected in the descriptive portions of this report, including the goal of increasing the number of veterinary public health professionals.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the constitutional authority for H.R. 2999 is provided under article I, section 8, clauses 3 and 18 of the Constitution of the United States.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 2999 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

FEDERAL ADVISORY COMMITTEE STATEMENT

The Committee finds that the legislation does not establish or authorize the establishment of an advisory committee within the definition of 5 U.S.C. App., section 5(b) of the Federal Advisory Committee Act.

APPLICABILITY OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch where the bill relates to terms and conditions of employment or access to public services and accommodations. H.R. 2999 contains no such provisions.

FEDERAL MANDATES STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act of 1974 (as amended by section 101(a)(2) of the Unfunded Mandates Reform Act, Public Law 104–4) requires a statement on whether the provisions of the report include unfunded mandates. In compliance with this requirement the Committee adopts as its own the analysis of federal mandates prepared by the Director of the Congressional Budget Office regarding H.R. 2999.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate of H.R. 2999 prepared by the Director of the Congressional

Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirements of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2999 from the Director of Congressional Budget Office:

SEPTEMBER 24, 2010.

Hon. HENRY A. WAXMAN,
*Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2999, Veterinary Public Health Amendments Act of 2010.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Lisa Ramirez-Branum, who can be reached at 226-9010.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

H.R. 2999—Veterinary Public Health Amendments Act of 2010

Under current law, the Health Resources and Services Administration is authorized to provide loans or grants to certain individuals or entities with the goal of increasing and improving the public health workforce. H.R. 2999 would amend the Public Health Service Act by providing access to those programs for certain veterinary health professionals and educational organizations. The bill would allow entities that provide education and training in veterinary public health to apply for and receive grant assistance from the Public Health Workforce Grant program. In addition, the bill would allow certain individuals that will receive or have received a degree in veterinary public health to apply for and receive loan assistance under the Public Health Workforce Loan Repayment program.

Based on the cost of changes in eligibility for grants and assistance in similar programs, CBO estimates that implementing H.R. 2999 would have a negligible impact on federal spending over the next five years; any additional spending would be subject to the availability of appropriated funds. Enacting this legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 2999 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. State and local governments, including public institutions of higher education that provide education and training in veterinary public health, would benefit from expanded eligibility authorized in the bill.

The CBO staff contact for this estimate is Lisa Ramirez-Branum. This estimate was approved by Holly Harvey, Deputy Assistant Director for Budget Analysis.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 designates that the short title may be cited as the “Veterinary Public Health Amendments Act of 2010”.

Section 2. Inclusion of veterinary public health in certain public health workforce provisions

Section 2 clarifies that “veterinary public health” professionals are intended to be included among the health professionals for purposes of two PHSA sections. The first provision, PHSA section 765, currently provides authority for the Secretary of HHS to award grants and contracts to eligible entities to increase the number of individuals in the public health workforce, to enhance the quality of the health workforce, and to enhance the ability of the health workforce to meet national, state, and local needs. The second provision, PHSA section 776, provides for a loan repayment program for public health professionals. Section 2 of the Act clarifies that veterinary public health professionals are considered public health professionals for the purposes of both PHSA section 765 and PHSA section 776.

Section 2 also defines “veterinary public health” to include veterinarians engaged in one or more of the following areas to the extent such areas have an impact on human health: biodefense and emergency preparedness, emerging and reemerging infectious diseases, environmental health, ecosystem health, pre-harvest and post-harvest food protection, regulatory medicine, diagnostic laboratory medicine, veterinary pathology, biomedical research, practice of food animal medicine in rural areas, and government practice.

EXPLANATION OF AMENDMENTS

During the Subcommittee on Health markup of H.R. 2999, Ms. Baldwin of Wisconsin offered an amendment in the nature of a substitute (manager’s amendment), which was adopted by a voice vote. During full Committee consideration of H.R. 2999, Ms. Baldwin offered a technical amendment to the bill as amended by the Subcommittee on Health, also adopted by a voice vote. The substance of each amendment is reflected in the section-by-section analysis contained in this report.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC HEALTH SERVICE ACT

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**TITLE VII—HEALTH PROFESSIONS
EDUCATION**

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**PART E—HEALTH PROFESSIONS AND PUBLIC
HEALTH WORKFORCE**

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Subpart 2—Public Health Workforce

SEC. 765. GENERAL PROVISIONS.

(a) * * *

(b) **ELIGIBILITY.**—To be eligible to receive a grant or contract under subsection (a) an entity shall—

(1) be—

(A) a health professions school, including an accredited school or program of public health, health administration, preventive medicine, *veterinary public health*, or dental public health or a school providing health management programs;

* * * * *

(d) **ACTIVITIES.**—Amounts provided under a grant or contract awarded under this section may be used for—

(1) * * *

* * * * *

(6) the retraining of existing public health workers as well as for increasing the supply of new practitioners to address priority public health, preventive medicine, *veterinary public health*, public health dentistry, and health administration needs;

* * * * *

Subpart 3—Recruitment and Retention Programs

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SEC. 776. PUBLIC HEALTH WORKFORCE LOAN REPAYMENT PROGRAM.

(a) * * *

(b) **ELIGIBILITY.**—To be eligible to participate in the Program, an individual shall—

(1)(A) be accepted for enrollment, or be enrolled, as a student in an accredited academic educational institution in a State or territory in the final year of a course of study or program leading to a [public health or health professions degree or certificate] *public health (including veterinary public health) or health professions degree or certificate*; and have accepted employment with a Federal, State, local, or tribal public health agency, or a related training fellowship, as recognized by the Secretary, to commence upon graduation; *or*

(B)(i) have graduated, during the preceding 10-year period, from an accredited educational institution in a State or territory and received a [public health or health professions degree or certificate] *public health (including veterinary public health) or health professions degree or certificate*; and

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PART F—GENERAL PROVISIONS

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SEC. 799B. DEFINITIONS.

For purposes of this title:

(1) * * *

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(27) *VETERINARY PUBLIC HEALTH.*—The term “veterinary public health” includes veterinarians engaged in one or more of the following areas to the extent such areas have an impact on human health: biodefense and emergency preparedness, emerging and reemerging infectious diseases, environmental health, ecosystem health, pre- and post-harvest food protection, regulatory medicine, diagnostic laboratory medicine, veterinary pathology, biomedical research, the practice of food animal medicine in rural areas, and government practice.

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