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National Institute of Biomedical Imaging Establishment Act (Introduced in the Senate)

S 990 IS

105th CONGRESS

1st Session

S . 990

To amend the Public Health Service Act to establish the National Institute of Biomedical Imaging.

IN THE SENATE OF THE UNITED STATES

July 7, 1997

Mr. FAIRCLOTH introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

## A BILL

To amend the Public Health Service Act to establish the National Institute of Biomedical Imaging.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the 'National Institute of Biomedical Imaging Establishment Act'.

## SEC. 2. ESTABLISHMENT OF NATIONAL INSTITUTE OF BIOMEDICAL IMAGING.

(a) IN GENERAL- Part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is

amended by adding at the end the following subpart:

**Subpart 18--National Institute of Biomedical Imaging**

**PURPOSE OF THE INSTITUTE**

**SEC. 464Z. (a) PURPOSE-** The general purpose of the National Institute of Biomedical Imaging (in this section referred to as the 'Institute') is the conduct and support of research, training, the dissemination of health information, and other programs with respect to radiologic and other imaging modalities, imaging techniques, and imaging technologies with biomedical applications (in this section referred to as 'biomedical imaging').

**(b) NATIONAL BIOMEDICAL IMAGING PROGRAM-**

**(1) ESTABLISHMENT-** The Director of the Institute, with the advice of the Institute's advisory council, shall establish a National Biomedical Imaging Program (in this section referred to as the 'Program').

**(2) ACTIVITIES-** Activities under the Program shall include the following with respect to biomedical imaging:

**(A)** Research into the development of new techniques and devices.

**(B)** Related research in physics, computer science, information sciences, and other disciplines.

**(C)** Technology assessments and outcomes studies to evaluate the effectiveness of devices and procedures.

**(D)** Research in screening for diseases and disorders.

**(E)** The advancement of existing modalities (such as x ray imaging, computed tomography, magnetic resonance imaging, magnetic resonance spectroscopy, positron emission tomography, single photon emission computed tomography, ultrasound, and bioelectric and biomagnetic imaging).

**(F)** The development of image-enhancing agents, contrast media, and radiopharmaceuticals.

**(G)** The development of image-enhancing agents and advanced technologies and techniques for molecular and genetic imaging.

**(H)** The development of new techniques and devices for imaging-guided surgery and related interventional procedures.

**(I)** Research into technologies to enhance and expand the potential applications of picture archiving, communication systems, and telemedicine.

(3) PLAN-

(A) IN GENERAL- With respect to the Program, the Director or the Institute shall prepare and transmit to the Secretary and the Director of NIH a plan to initiate, expand, intensify, and coordinate activities of the Institute respecting biomedical imaging. The plan shall include such comments and recommendations as the Director of the Institute determines appropriate. The Director of the Institute shall periodically review and revise the plan and shall transmit any revisions of the plan to the Secretary and the Director of NIH.

(B) CONTENTS- The plan under subparagraph (A) shall include the recommendations of the Director of the Institute with respect to the following:

(i) The consolidation of programs of the National Institutes of Health for the conduct or support of activities regarding biomedical imaging.

(ii) The establishment of a center within the Institute to coordinate imaging research activities conducted or supported by Federal agencies and to facilitate the

transfer of biomedical imaging technologies.

(c) ADVISORY COUNCIL- The establishment under section 406 of an advisory council for the Institute is subject to the following:

(1) The number of members appointed by the Secretary shall be 12.

(2) Of such members--

(A) 6 members shall be scientists, physicians, and other health professionals who represent disciplines in biomedical imaging and who are not officers or employees of the United States; and

(B) 6 members shall be scientists, physicians, and other health professionals who represent other disciplines and are knowledgeable about the applications of biomedical imaging in medicine, and who are not officers or employees of the United States.

(3) In addition to the ex officio members specified in section 406(b)(2), the ex officio members of the advisory council shall include the Director of the Centers for Disease Control and Prevention, the Director of the National Science Foundation, and the Director of the National Institute of Standards and Technology (or the designees of such officers).

(d) AUTHORIZATION OF APPROPRIATIONS-

(1) IN GENERAL- Subject to paragraph (2), for the purpose of carrying out this section:

(A) For fiscal year 1997, there is authorized to be appropriated an amount equal to the amount obligated by the National Institutes of Health during fiscal year 1996 for biomedical imaging, except that such amount shall be adjusted to offset any inflation occurring after October 1, 1995.

(B) For each of the fiscal years 1998 and 1999, there is authorized to be appropriated an amount equal to the amount appropriated under subparagraph (A) for fiscal year 1997, except that such amount shall be adjusted for the fiscal year involved to offset any inflation occurring after October 1, 1996.

(2) REDUCTION- The authorization of appropriations for a fiscal year under paragraph (1) is hereby reduced by the amount of any appropriation made for such year for the conduct or support by any other national research institute of any program with respect to biomedical imaging.

(b) USE OF EXISTING RESOURCES- In providing for the establishment of the National Institute of Biomedical Imaging pursuant to the amendment made by subsection (a), the Director of the National Institutes of Health (referred to in this subsection as 'NIH')--

(1) may transfer to the National Institute of Biomedical Imaging such personnel of NIH as the Director determines to be appropriate;

(2) may, for quarters for such Institute, utilize such facilities of NIH as the Director determines to be appropriate; and

(3) may obtain administrative support for the Institute from the other agencies of NIH, including the other national research institutes.

(c) CONSTRUCTION OF FACILITIES- None of the provisions of this Act or the amendments made by the Act may be construed as authorizing the construction of facilities, or the acquisition of land, for purposes of the establishment or operation of the National Institute of Biomedical Imaging.

(d) DATE CERTAIN FOR ESTABLISHMENT OF ADVISORY COUNCIL- Not later than 90 days after the effective date of this Act under section 3, the Secretary of Health and Human Services shall complete the establishment of an advisory council for the National Institute of Biomedical Imaging in accordance with section 406 of the Public Health Service Act (42 U.S.C. 284a) and in accordance with section 464Z of such Act (as added by subsection (a) of this section).

(e) CONFORMING AMENDMENT- Section 401(b)(1) of the Public Health Service Act (42 U.S.C. 281(b)(1)) is amended by adding at the end the following subparagraph:

(R) The National Institute of Biomedical Imaging.

### SEC. 3. EFFECTIVE DATE.

This Act takes effect October 1, 1997, or upon the date of the enactment of this Act, whichever

occurs later.

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