

Casey Amendment #2

Bob Casey

AMENDMENT NO. _____

Calendar No. _____

Purpose: To improve the supply of personal protective equipment.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 3799

To prepare for, and respond to, existing viruses, emerging new threats, and pandemics.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CASEY

Viz:

1 At the appropriate place in title IV, insert the following:
2

3 **SEC. 4. IMPROVING THE SUPPLY OF PERSONAL PROTECTIVE EQUIPMENT.**
4

5 Part B of title III of the Public Health Service Act
6 (42 U.S.C. 243 et seq.) is amended by inserting after section 319M the following:
7

8 **“SEC. 319N. PROGRAMS TO IMPROVE THE SUPPLY OF PERSONAL PROTECTIVE EQUIPMENT.**
9

10 **“(a) NATIONAL PERSONAL PROTECTIVE TECHNOLOGY LABORATORY.—**The Secretary, acting through
11
12 the Director of the National Institute for Occupational

1 Safety and Health, shall carry out the activities of the Na-
2 tional Personal Protective Technology Laboratory, includ-
3 ing by—

4 “(1) conducting research, development, and
5 conformity assessments for quality and safety re-
6 lated to personal protective equipment, which shall
7 include developing new methods to test the effective-
8 ness of such equipment and improving the surge ca-
9 pacity of respirator conformity assessments;

10 “(2) developing and implementing evidence-
11 based, culturally-appropriate national guidance and
12 requirements for respiratory equipment and other
13 personal protective equipment;

14 “(3) establishing guidance, requirements, and
15 tools to help employers and employees use personal
16 protective equipment effectively and efficiently;

17 “(4) developing and evaluating innovative de-
18 signs and test methods to improve acceptability,
19 comfort, fit, and usability of personal protective
20 equipment; and

21 “(5) carrying out other duties, as determined
22 by the Secretary.

23 “(b) RESEARCH AND DEVELOPMENT PROGRAM FOR
24 PERSONAL PROTECTIVE EQUIPMENT FOR HEALTH CARE
25 WORKERS.—

1 “(1) IN GENERAL.—The Secretary, acting
2 through the Director of the National Institute for
3 Occupational Safety and Health, shall establish,
4 within the National Personal Protective Technology
5 Laboratory, a program to ensure innovation with re-
6 spect to personal protective equipment for health
7 care workers, by conducting and applying research
8 on safety, design considerations, methods and tools
9 for sampling and characterization of workplace inha-
10 lation hazards, and usage quantities and standards
11 of personal protective equipment used in health care
12 settings. Such program shall include a complemen-
13 tary set of activities concerning equipment and tech-
14 nologies for health and safety protections for the
15 public during public health emergencies declared
16 under section 319 of the Public Health Service Act
17 (42. U.S.C. 247d).

18 “(2) REQUIREMENTS.—The program estab-
19 lished under paragraph (1) shall—

20 “(A) integrate consultation with health care
21 workers who use personal protective equipment
22 in their work to inform factors such as comfort
23 over short- and long-durations, fit, durability,
24 and feasibility in real-world health care settings;

1 “(B) conduct pilot testing to evaluate
2 workforce experience with, and preliminary effi-
3 cacy of, newly developed equipment;

4 “(C) coordinate with manufacturers to de-
5 fine and develop strategies to—

6 “(i) ensure capability for large-scale
7 production of personal protective equip-
8 ment, even in the potential circumstance of
9 low-profitability, and

10 “(ii) guarantee the ability to increase
11 supply of such equipment rapidly in re-
12 sponse to sudden medical need, through
13 manufacturing at facilities within the
14 United States and at reliable manufac-
15 turing facilities abroad; and

16 “(D) consult with Federal, State, and local
17 entities to develop and provide a unified and
18 authoritative source of information for health
19 and safety protections, and effective oversight
20 for the development, conformity assessment,
21 and the use of equipment for health and safety,
22 to meet the needs of the public during public
23 health emergencies.

24 “(3) CONSULTATION.—In carrying out the pro-
25 gram under this subsection, the Secretary, acting

1 through the Director of the National Institute for
2 Occupational Safety and Health, shall consult with
3 the Assistant Secretary of Labor for Occupational
4 Safety and Health, the Commissioner of Food and
5 Drugs, and the heads of other relevant Federal
6 agencies and departments.

7 “(4) AUTHORIZATION OF APPROPRIATIONS.—
8 To carry out this section, there are authorized to be
9 appropriated \$180,000,000 for each of fiscal years
10 2023 through 2027.”