

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Public Health Service Act with respect to the Covered Countermeasure Process Fund, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To amend the Public Health Service Act with respect to the Covered Countermeasure Process Fund, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “\_\_\_\_\_ Act  
5 of 2023”.

6 **SEC. 2. COVERED COUNTERMEASURE PROCESS FUND.**

7 (a) PUBLIC AWARENESS.—Section 319F–4(a) of the  
8 Public Health Service Act (42 U.S.C. 247d–6e(a)) is  
9 amended—

1 (1) by striking “Upon the issuance” and insert-  
2 ing the following:

3 “(1) IN GENERAL.—Upon the issuance”; and

4 (2) by adding at the end the following:

5 “(2) PUBLIC AWARENESS.—The Secretary shall  
6 undertake reasonable efforts to inform the public of  
7 the availability of the Fund under paragraph (1).”.

8 (b) COVERED COUNTERMEASURE INJURY TABLE.—  
9 Subparagraph (A) of section 319F–4(b)(5) of the Public  
10 Health Service Act (42 U.S.C. 247d–6e(b)(5)) is amended  
11 by adding at the end the following: “Not later than 180  
12 days after making a declaration under section 319F–3(b),  
13 the Secretary shall finalize an initial regulation under this  
14 section establishing the table with respect to any covered  
15 countermeasure recommended in such declaration.”.

16 (c) RATIONALE FOR DENIED CLAIMS.—Section  
17 319F–4(b)(4) of the Public Health Service Act (42 U.S.C.  
18 247d–6e(b)) is amended—

19 (1) by striking “Except as provided” and in-  
20 serting the following:

21 “(A) IN GENERAL.—Except as provided”;

22 and

23 (2) by added at the end the following:

24 “(B) RATIONALE FOR DENIED CLAIMS.—

25 Not later than 30 days after determining an in-

1           dividual is not a covered individual or otherwise  
2           does not qualify for compensation under this  
3           section, the Secretary shall—

4                   “(i) inform the claimant, in writing,  
5                   that their claim was denied; and

6                   “(ii) include—

7                           “(I) the rationale for denying  
8                           such claim; and

9                           “(II) any reconsideration process  
10                          available to the claimant.”.

11           (d) REPORT TO CONGRESS.—Not later than 1 year  
12 after the date of enactment of this Act, the Inspector Gen-  
13 eral of the Department of Health and Human Services  
14 shall submit a report to the Congress specifying—

15                   (1) the number of claims filed under section  
16                   319F–4 of the Public Health Service Act (42 U.S.C.  
17                   247d–6e) since the enactment of such section;

18                   (2) the disposition of each such claim, includ-  
19                   ing—

20                           (A) the types and amounts of awards  
21                           made; and

22                           (B) the length of time for the disposition  
23                           of the claim;

1           (3) the dates of occurrence of the counter-  
2           measure-related injuries and deaths for which each  
3           such claim was filed; and

4           (4) the cost of administering the Covered Coun-  
5           termeasure Process Fund under such section 319F-  
6           4.