§ 8117. Emergency preparedness

(a) Readiness of Department Medical Centers.—

(1) The Secretary shall take appropriate actions to provide for the readiness of Department medical centers to protect the patients and staff of such centers from a public health emergency (as defined in section 2801 of the Public Health Service Act) or otherwise to respond to such an emergency so as to enable such centers to fulfill their obligations as part of the Federal response to such emergencies.

(2) Actions under paragraph (1) shall include—

(A) the provision of decontamination equipment and personal protection equipment at Department medical centers;

(B) the provision of training in the use of such equipment to staff of such centers;

(C) organizing, training, and equipping the staff of such centers to support the activities carried out by the Secretary of Health and Human Services under section 2801 of the Public Health Service Act in the event of a public health emergency and incidents covered by the National Response Plan developed pursuant to section 502(6) of the Homeland Security Act of 2002, or any successor plan; and

(D) providing medical logistical support to the National Disaster Medical System and the Secretary of Health and Human Services as necessary, on a reimbursable basis, and in coordination with other designated Federal agencies.

(b) Security at Department Medical and Research Facilities.—

(1) The Secretary shall take appropriate actions to provide for the security of Department medical centers and research facilities, including staff and patients at such centers and facilities.

(2) In taking actions under paragraph (1), the Secretary shall take into account the results of the evaluation of the security needs at Department medical centers and research facilities required by section 154(b)(1) of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Public Law 107–188; 116 Stat. 631), including the results of such evaluation relating to the following needs:

(A) Needs for the protection of patients and medical staff during emergencies, including a chemical or biological attack or other terrorist attack.

(B) Needs, if any, for screening personnel engaged in research relating to biological pathogens or agents, including work associated with such research.

(C) Needs for securing laboratories or other facilities engaged in research relating to biological pathogens or agents.

(c) Tracking of Pharmaceuticals and Medical Supplies and Equipment.— The Secretary shall develop and maintain a centralized system for tracking the current location and availability of pharmaceuticals, medical supplies, and medical equipment throughout the Department health care system in order to permit the ready identification and utilization of such pharmaceuticals, supplies, and equipment for a variety of purposes, including response to a public health emergency. The Secretary shall, through existing medical procurement contracts, and on a reimbursable basis, make available as necessary, medical supplies, equipment, and pharmaceuticals in response to a public health emergency in support of the Secretary of Health and Human Services.
(d) Training.— The Secretary shall ensure that the Department medical centers, in consultation with the accredited medical school affiliates of such medical centers, implement curricula to train resident physicians and health care personnel in medical matters relating to public health emergencies or attacks from an incendiary or other explosive weapon consistent with section 319F(a) of the Public Health Service Act.

(e) Participation in National Disaster Medical System.—

(1) The Secretary shall establish and maintain a training program to facilitate the participation of the staff of Department medical centers, and of the community partners of such centers, in the National Disaster Medical System established pursuant to section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11).

(2) The Secretary shall establish and maintain the training program under paragraph (1) in accordance with the recommendations of the working group on the prevention, preparedness, and response to public health emergencies established under section 319F of the Public Health Service Act (42 U.S.C. 247d–6).

(3) The Secretary shall establish and maintain the training program under paragraph (1) in consultation with the following:
   (A) The Secretary of Defense.
   (B) The Secretary of Health and Human Services.
   (C) The Administrator of the Federal Emergency Management Agency.

(f) Mental Health Counseling.—

(1) With respect to activities conducted by personnel serving at Department medical centers, the Secretary shall develop and maintain various strategies for providing mental health counseling and assistance, including counseling and assistance for post-traumatic stress disorder, following a bioterrorist attack or other public health emergency to the following persons:
   (A) Veterans.
   (B) Local and community emergency response providers.
   (C) Active duty military personnel.
   (D) Individuals seeking care at Department medical centers.

(2) The strategies under paragraph (1) shall include the following:
   (A) Training and certification of providers of mental health counseling and assistance.
   (B) Mechanisms for coordinating the provision of mental health counseling and assistance to emergency response providers referred to in paragraph (1).

(3) The Secretary shall develop and maintain the strategies under paragraph (1) in consultation with the Secretary of Health and Human Services, the American Red Cross, and the working group referred to in subsection (e)(2).

(g) Authorization of Appropriations.— There are authorized to be appropriated, such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011.

Footnotes

1 See References in Text note below.


References in Text

Section 2801 of the Public Health Service Act, referred to in subsec. (a)(1), is classified to section 300hh of Title 42, The Public Health and Welfare.

Section 154(b)(1) of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, referred to in subsec. (b)(2), is section 154(b)(1) of Pub. L. 107–188, which is set out as a note below.

Amendments


2008—Subsec. (a)(1). Pub. L. 110–387 substituted “respond to such” for “respond to such such”.

2006—Subsec. (a)(1). Pub. L. 109–417, § 306(a)(1)(A), substituted “a public health emergency (as defined in section 2801 of the Public Health Service Act)” for “chemical or biological attack”, “such an emergency” for “an attack”, and “such emergencies” for “public health emergencies”.

Subsec. (a)(2)(C), (D). Pub. L. 109–417, § 306(a)(1)(A), added subpars. (C) and (D).

Subsec. (c). Pub. L. 109–417, § 306(a)(2), substituted “a public health emergency. The Secretary shall, through existing medical procurement contracts, and on a reimbursable basis, make available as necessary, medical supplies, equipment, and pharmaceuticals in response to a public health emergency in support of the Secretary of Health and Human Services.” for “a chemical or biological attack or other terrorist attack.”

Subsec. (d). Pub. L. 109–417, § 306(a)(3), struck out “develop and” before “implement curricula”, substituted “public health emergencies” for “biological, chemical, or radiological attacks”, and inserted “consistent with section 319F(a) of the Public Health Service Act” before period at end.


Subsec. (e)(2). Pub. L. 109–417, § 306(a)(4)(B), struck out “bioterrorism and other” after “response to” and substituted “319F” for “319F(a)”.


Change of Name


Transfer of Functions

For transfer of functions, personnel, assets, and liabilities of the National Disaster Medical System, including the functions of the Secretary of Homeland Security and the Under Secretary for Emergency Preparedness and Response relating thereto, to the Secretary of Health and Human Services, see title III of Pub. L. 109–295, set out in part as a note under section 300hh–11 of Title 42, The Public Health and Welfare, and section 301(b) of Pub. L. 109–417, set out as a note under section 300hh–11 of Title 42.

For transfer of functions, personnel, assets, and liabilities of the National Disaster Medical System of the Department of Health and Human Services, including the functions of the Secretary of Health and Human Services and the Assistant Secretary for Public Health Emergency Preparedness [now Assistant Secretary for Preparedness and Response] relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313 (5) and sections 551 (d), 552 (d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Enhancement of Emergency Preparedness of Department of Veterans Affairs


“(b) Security at Department Medical and Research Facilities.—(1) Not later than 180 days after the date of the enactment of this Act [June 12, 2002], the Secretary [of Veterans Affairs] shall carry out an evaluation of the security needs at Department medical centers and research facilities. The evaluation shall address the following needs:

“(A) Needs for the protection of patients and medical staff during emergencies, including a chemical or biological attack or other terrorist attack.

“(B) Needs, if any, for screening personnel engaged in research relating to biological pathogens or agents, including work associated with such research.

“(C) Needs for securing laboratories or other facilities engaged in research relating to biological pathogens or agents.

“(D) Any other needs the Secretary considers appropriate.


“(g) Authorization of Appropriations.—There is hereby authorized to be appropriated for the Department of Veterans Affairs amounts as follows:

“(1) To carry out activities required by subsection (a) of section 8117 of title 38, United States Code—

“(A) $100,000,000 for fiscal year 2002; and

“(B) such sums as may be necessary for each of fiscal years 2003 through 2006.

“(2) To carry out activities required by subsection (b)(1) of this section and subsections (b) through (f) of section 8117 of title 38, United States Code—

“(A) $33,000,000 for fiscal year 2002; and

“(B) such sums as may be necessary for each of fiscal years 2003 through 2006.”