

118TH CONGRESS
1ST SESSION

H. R. 3577

To require the Assistant Secretary for Preparedness and Response to establish an automated supply chain tracking application that provides near real-time insight into the amount of critical medical and health supplies available in the Strategic National Stockpile.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2023

Mr. HUDSON (for himself, Mr. GOTTHEIMER, Mr. BALDERSON, and Mrs. TRAHAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Assistant Secretary for Preparedness and Response to establish an automated supply chain tracking application that provides near real-time insight into the amount of critical medical and health supplies available in the Strategic National Stockpile.

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 “Medical and Health
5 Stockpile Accountability Act of 2023”.

1 **SEC. 2. TRACKING AND ACCOUNTABILITY OF SUPPLIES IN**
2 **THE NATIONAL STOCKPILE.**

3 Section 319F–2 of the Public Health Service Act (42
4 U.S.C. 247d–6b) is amended—

5 (1) by redesignating subsection (h) as sub-
6 section (i); and

7 (2) by inserting after subsection (g) the fol-
8 lowing:

9 “(h) **TRACKING AND ACCOUNTABILITY OF SUPPLIES**
10 **IN THE STOCKPILE.—**

11 “(1) **IN GENERAL.—**The Assistant Secretary for
12 Preparedness and Response (in this subsection re-
13 ferred to as the ‘Assistant Secretary’) shall establish
14 an automated supply chain tracking application that
15 provides near real-time insight into the amount of
16 critical medical and health supplies available in the
17 stockpile under subsection (a), and available in the
18 medical and health supply inventories of State, Trib-
19 al, territories, and local and private entities such as
20 hospitals, manufacturers, and distributors.

21 “(2) **ACCESS AND USE OF THE APPLICATION.—**
22 The Assistant Secretary shall establish rules for
23 data access, and use of, the application established
24 under paragraph (1). Such rules shall—

25 “(A) require internal tracking, pursuant to
26 subsection (d), of all supplies within the stock-

1 pile under subsection (a), in a manner that is
2 visible to Federal entities identified by the As-
3 sistant Secretary;

4 “(B) allow for data access, by Federal en-
5 tities during an emergency response, as deter-
6 mined by the Assistant Secretary, to the med-
7 ical and health supply stockpiles of State, Trib-
8 al, territories, and local and private partners;

9 “(C) establish, after consultation with pub-
10 lic and private partners, a national standard for
11 collecting and reporting data related to prod-
12 ucts maintained in the stockpile, including—

13 “(i) data standards for category of
14 products, nomenclature, and standards for
15 coding of each product for entities to re-
16 port product availability in their Federal,
17 State, and local jurisdictions;

18 “(ii) application of the standard to
19 Tribal and local stockpiles; and

20 “(iii) a data dictionary defining terms,
21 such as ‘burn rate’, ‘calculation of supply-
22 on-hand’, and other appropriate terms;

23 “(D) ensure clear and efficient mecha-
24 nisms for health care entities, including hos-
25 pitals, manufacturers, and distributors, to re-

1 port data in an emergency that supports med-
2 ical and health supply chain management and
3 surge re-deployment, including detailed data re-
4 garding all relevant supplies secured and avail-
5 able;

6 “(E) allow access by the Administration
7 for Strategic Preparedness and Response to
8 data from different vendor management sys-
9 tems, through automated feeds from health care
10 entities, eliminating manual reporting errors
11 from health care entities;

12 “(F) establish the parameters for per-
13 mitted and prohibited government data access
14 and uses;

15 “(G) ensure that the Administration for
16 Strategic Preparedness and Response protects
17 any data from hospitals, manufacturers, and
18 distributors that is shared through the applica-
19 tion, including protection of confidential, propri-
20 etary, commercial, and trade secret information;

21 “(H) ensure that Federal data collection is
22 for monitoring and dynamic allocation and will
23 not be used to remove or reallocate inventory
24 from organizations;

1 “(I) ensure that data will not be used by
2 suppliers for commercial or contractual pur-
3 poses;

4 “(J) ensure that reported data will not be
5 used to advantage or disadvantage any institu-
6 tion over another or to undermine the competi-
7 tive marketplace; and

8 “(K) ensure that the application interfaces,
9 for tracking management purposes, with the
10 National Disaster Recovery Framework of the
11 Federal Emergency Management Agency, ap-
12 propriate dashboards of the Department of De-
13 fense, and other appropriate Federal partners.

14 “(3) PARTICIPATION BY PRIVATE ENTITIES.—
15 The application established under paragraph (1)
16 shall support the voluntary sharing of data and ac-
17 cessing data by private health care supply chain en-
18 tities, by allowing such entities to display near real-
19 time data relating to inventory and time estimates
20 for when inventories may be replenished.

21 “(4) ANNUAL EXERCISE.—The Assistant Sec-
22 retary shall provide for an annual exercise hosted by
23 the Administration for Strategic Preparedness and
24 Response to test the effectiveness of the application
25 established under paragraph (1), and to provide an

1 opportunity to report, not later than 180 days after
2 publication of the standards described in paragraph
3 (2)(C), any inefficiencies or deficiencies in the appli-
4 cation.

5 “(5) PROGRAM OF SUPPORT.—The Assistant
6 Secretary shall establish a program to assist State,
7 local, and private health care entities, such as rural,
8 critical access, or community hospitals, that do not
9 have an automated vendor management system in
10 developing or obtaining such a system.

11 “(6) AUTHORIZATION OF APPROPRIATIONS.—
12 There are authorized to be appropriated to the As-
13 sistant Secretary for the acquisition and develop-
14 ment of an application under this section,
15 \$250,000,000 to remain available for fiscal years
16 2024 through 2029.”.

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