



LEGISLATIVE UPDATE

PANDEMIC AND ALL-HAZARDS PREPAREDNESS ACT

TO: NEMA State Directors
FROM: NEMA Legislative Committee
DATE: May 11, 2018
SUBJECT: Pandemic and All-Hazards Preparedness Act (Draft)

On April 26, the Senate Health, Education, Labor, and Pensions Committee released a discussion [draft](#) of the *Pandemic and All-Hazards Preparedness Act* (PAHPA), which touts improvements to the United States' public health preparedness apparatus. PAHPA was originally enacted in 2006 and reauthorized in 2013 to establish an all-hazards framework for responses to public health threats that could result in an emergency. The committee has cited the Ebola and Zika virus outbreaks, and the adverse health effects from this past hurricane season, as impetus for this legislation. Similarly, this legislation could operationalize recent comments by the administration about declaring the opioid crisis a public health emergency.

PAHPA Section by Section

National Health Security Strategy

Section 101 lays out the National Health Security Strategy and identifies the processes to respond to public health threats. This includes a description of the public health workforce.

Benchmarks and Standards for Preparedness and Response

Section 201 required the evaluation of existing performance measures, benchmarks, and standards for two core preparedness and response programs. The evaluation process of the public health preparedness grants has often been looked to as potential models for similar programs in homeland security.

Amendments to Preparedness and Response Programs

Section 202 includes language authorizing funds for the Public Health Security Grants program through 2023 and for state and regional hospital preparedness to improve surge capacity through partnerships.

Regional Public Health Emergency Preparedness and Response Systems

Section 203 requires the Assistant Secretary for Preparedness and Response (ASPR) to develop a plan for regional systems of hospitals, health care facilities, and public health facilities to combat public health emergencies. The language is based off the lessons learned from the Ebola virus outbreak in 2014. The Government Accountability Office (GAO) will produce a report in two years on progress of the plan.

Public Health Situational Awareness and Biosurveillance Capabilities

Section 204 directs GAO to study Federal spending on Centers for Disease Control (CDC) facilities and its capacities to combat bioterrorism.

Strengthening and Supporting the Public Health Emergency Fund

Section 205 identifies the authorities and allowable uses of the Public Health Emergency Fund (PHEF) and requires the Human Health Services (HHS) Secretary and GAO to conduct a review of PHEF and identify improvements.

Improving Preparedness and Response to All-Hazards by Public Health Emergency Volunteers

Section 206 encourages states to develop policies to allow the medical professionals to cross state lines during a public health emergency and reauthorizes the Emergency System for Advanced Registration of Volunteer Health Professionals (ESAR-VHP), which would help facilitate such policies.

Strengthening and Assessing the Emergency Response Workforce

Section 301 stipulates how to improve the public health emergency workforce by increasing flexibility, reviewing surge capacity, and improving communication with Congress by requiring HHS to notify Congress when the public health emergency workforce is insufficient to address a public health emergency.

Health System Infrastructure to Improve Preparedness and Response

Section 302 encourages the ASPR to coordinate public-private partnerships to provide supplies to affected areas during a public health emergency. Also provides direction on managing medical countermeasures planning and manufacturing capabilities when replenishing the Strategic National Stockpile (SNS).

Improving Emergency Preparedness and Response Considerations for Children

Section 304 codifies the Children's Preparedness Unit at the CDC so children's needs are met during public health emergencies.

Reauthorizing the National Advisory Committee on Children and Disasters

Section 305 reauthorizes and updates the Advisory Committee on children and disasters so non-federal stakeholders are included.

Assistant Secretary for Preparedness and Response

Section 401 clarifies the Congressional intent for the ASPR regarding emergency preparedness and response and encourages them to coordinate with outside stakeholders such as the intelligence community.

Public Health Emergency Medical Countermeasure Enterprise (PHEMCE)

Section 402 codifies PHEMCE, a group of relevant agencies that includes the Department of Homeland Security (DHS), to direct the research of medical countermeasures (MCMs) during emergencies.

Strategic National Stockpile

Section 403 provides additional direction and a threat-based focus for the annual review of the SNS. Requires additional information on procurement and replenishment decisions, and requires GAO to review the processes employed.

Material Threat and Medical Countermeasure Notifications

Section 502 requires HHS and DHS to annually notify the Senate HELP Committee, Senate Homeland Security and Government Affairs (HSGAC) Committee, House Energy and Commerce Committee, and the House Homeland Security Committee of the material threat list.

The full text of the draft bill can be found [here](#).

This document has been prepared for you courtesy of the NEMA Legislative Committee. Should you have any questions, please feel free to contact the following NEMA staff:

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