

HR 4383 IH

111th CONGRESS  
1st Session  
**H. R. 4383**

To amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer.

**IN THE HOUSE OF REPRESENTATIVES**

**December 16, 2009**

Mr. MARSHALL (for himself, Mr. ACKERMAN, Mr. ARCURI, Mr. BISHOP of New York, Ms. CLARKE, Mr. CROWLEY, Mr. ENGEL, Mr. HALL of New York, Mr. HIGGINS, Mr. HINCHEY, Mr. ISRAEL, Mr. KING of New York, Mr. LEE of New York, Mrs. LOWEY, Mr. MAFFEI, Mr. MASSA, Mrs. MCCARTHY of New York, Mr. MCMAHON, Mrs. MALONEY, Mr. MEEKS of New York, Mr. MURPHY of New York, Mr. NADLER of New York, Mr. OWENS, Mr. RANGEL, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Mr. TOWNS, Ms. VELAZQUEZ, and Mr. WEINER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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**A BILL**

To amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the `Thomas J. Manton Prostate Cancer Early Detection and Treatment Act of 2009'.

**SEC. 2. PROSTATE CANCER SCREENING PROGRAM.**

(a) In General- Title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) is amended by adding at the end the following:

**`Subtitle 2--Prostate Cancer**

**`SEC. 1521. PROSTATE CANCER.**

(a) Grants to States for Programs To Screen for Prostate Cancer- The Secretary, acting through the Director of the Centers for Disease Control and

Prevention, may make grants to States to carry out programs with respect to prostate cancer. The provisions of sections 1501 through 1508 (regarding breast and cervical cancer) shall apply to grants under this subsection to the same extent and in the same manner as such provisions apply to grants under section 1501.

(b) Supplemental Grants for Additional Preventive Health Services- In the case of States receiving grants under subsection (a), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to not more than 3 such States to carry out demonstration projects with respect to prostate cancer. The provisions of section 1509 (regarding breast and cervical cancer), other than section 1509(d), shall apply to grants under this subsection to the same extent and in the same manner as such provisions apply to grants under section 1509.

(c) Authorization of Appropriations- There are authorized to be appropriated such sums as may be necessary in each fiscal year to carry out this section.'

(b) Technical Amendments- Title XV of the Public Health Service Act (42 U.S.C. 300k et seq.) is amended--

(1) in the heading of the title, by striking '**BREAST AND CERVICAL CANCERS**' and inserting '**BREAST, CERVICAL, AND PROSTATE CANCERS**';

(2) by inserting before section 1501 the following:

**'Subtitle 1--Breast and Cervical Cancers';**

(3) in sections 1504(c)(3)(A) and 1509(c), by striking the term 'This title' each place such term appears and inserting 'This subtitle';

(4) in sections 1504(c)(3)(A) and 1509(c), by striking the term 'such title' each place such term appears and inserting 'such subtitle'; and

(5) in sections 1506, 1508(b), and 1510(a), by striking the term 'this title' each place such term appears and inserting 'this subtitle'.

**SEC. 3. OPTIONAL MEDICAID COVERAGE OF CERTAIN PROSTATE CANCER PATIENTS.**

(a) Coverage as Optional Categorically Needy Group and Limitation on Benefits- Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended--

(1) in subsection (a)(10)(A)(ii)(XVIII), by striking 'or cervical' and inserting ', cervical, or prostate';

(2) in subsection (a)(10), in the clause (XIV) following subparagraph (G), by striking 'or cervical' and inserting ', cervical, or prostate'; and

(3) in subsection (aa)(3)--

(A) by inserting '(A)' after '(3)';

(B) by striking 'and' at the end and inserting 'or'; and

(C) by adding at the end the following new subparagraph:

(B) at the option of the State, have been screened for prostate cancer under the Centers for Disease Control and Prevention prostate cancer early detection program established under section 1521(a) of the Public Health Service Act and need treatment for prostate cancer; and'

(b) Application of Presumptive Eligibility- Section 1920B of such Act (42 U.S.C. 1396r-1b) is amended--

(1) in the heading by striking `OR CERVICAL' and inserting `, CERVICAL, OR PROSTATE'; and

(2) in subsection (a), by striking `or cervical' and inserting `, cervical, or prostate'.

(c) Application of Enhanced Match- For application of enhanced Federal matching rate, see section 1905(b)(4) of the Social Security Act (42 U.S.C. 1396d(b)(4)).

(d) Application of Special Rules on Cost-Sharing- Section 1937(a)(2)(B)(x) of such Act (42 U.S.C. 1396u-7(a)(2)(B)(x)) is amended--

(1) in the heading by inserting `AND MEN IN THE PROSTATE CANCER PROGRAM' after `BREAST OR CERVICAL CANCER PROGRAM'; and

(2) by striking `is a woman who'.

(e) Effective Date- The amendments made by this section shall apply to items and services furnished on or after the date of the enactment of this Act.

*END*