

1 **TITLE III—JAMES ZADROGA 9/11**
2 **HEALTH AND COMPENSATION**
3 **REAUTHORIZATION ACT**

4 **SEC. 301. SHORT TITLE.**

5 This title may be cited as the “James Zadroga 9/11
6 Health and Compensation Reauthorization Act”.

7 **SEC. 302. REAUTHORIZING THE WORLD TRADE CENTER**
8 **HEALTH PROGRAM.**

9 (a) WORLD TRADE CENTER HEALTH PROGRAM
10 FUND.—Section 3351 of the Public Health Service Act
11 (42 U.S.C. 300mm–61) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (2)—

14 (i) in the matter preceding subpara-
15 graph (A), by striking “each of fiscal years
16 2012” and all that follows through
17 “2011)” and inserting “fiscal year 2016
18 and each subsequent fiscal year through
19 fiscal year 2090”; and

20 (ii) by striking subparagraph (A) and
21 inserting the following:

22 “(A) the Federal share, consisting of an
23 amount equal to—

24 “(i) for fiscal year 2016,
25 \$330,000,000;

1 “(ii) for fiscal year 2017,
2 \$345,610,000;
3 “(iii) for fiscal year 2018,
4 \$380,000,000;
5 “(iv) for fiscal year 2019,
6 \$440,000,000;
7 “(v) for fiscal year 2020,
8 \$485,000,000;
9 “(vi) for fiscal year 2021,
10 \$501,000,000;
11 “(vii) for fiscal year 2022,
12 \$518,000,000;
13 “(viii) for fiscal year 2023,
14 \$535,000,000;
15 “(ix) for fiscal year 2024,
16 \$552,000,000;
17 “(x) for fiscal year 2025,
18 \$570,000,000; and
19 “(xi) for each subsequent fiscal year
20 through fiscal year 2090, the amount spec-
21 ified under this subparagraph for the pre-
22 vious fiscal year increased by the percent-
23 age increase in the consumer price index
24 for all urban consumers (all items; United
25 States city average) as estimated by the

1 Secretary for the 12-month period ending
2 with March of the previous year; plus”;
3 and

4 (B) by striking paragraph (4) and insert-
5 ing the following:

6 “(4) AMOUNTS FROM PRIOR FISCAL YEARS.—
7 Amounts that were deposited, or identified for de-
8 posit, into the Fund for any fiscal year under para-
9 graph (2), as such paragraph was in effect on the
10 day before the date of enactment of the James
11 Zadroga 9/11 Health and Compensation Reauthor-
12 ization Act, that were not expended in carrying out
13 this title for any such fiscal year, shall remain de-
14 posited, or be deposited, as the case may be, into the
15 Fund.

16 “(5) AMOUNTS TO REMAIN AVAILABLE UNTIL
17 EXPENDED.—Amounts deposited into the Fund
18 under this subsection, including amounts deposited
19 under paragraph (2) as in effect on the day before
20 the date of enactment of the James Zadroga 9/11
21 Health and Compensation Reauthorization Act, for a
22 fiscal year shall remain available, for the purposes
23 described in this title, until expended for such fiscal
24 year and any subsequent fiscal year through fiscal
25 year 2090.”;

1 (2) in subsection (b)(1), by striking “sections
2 3302(a)” and all that follows through “3342” and
3 inserting “sections 3301(e), 3301(f), 3302(a),
4 3302(b), 3303, 3304, 3305(a)(1), 3305(a)(2),
5 3305(c), 3341, and 3342”; and

6 (3) in subsection (c)—

7 (A) in paragraph (1)—

8 (i) by striking subparagraph (B);

9 (ii) by redesignating subparagraph
10 (C) as subparagraph (B); and

11 (iii) by amending subparagraph (A) to
12 read as follows:

13 “(A) for fiscal year 2016, the amount de-
14 termined for such fiscal year under subpara-
15 graph (C) as in effect on the day before the
16 date of enactment of the James Zadroga 9/11
17 Health and Compensation Reauthorization Act;
18 and”;

19 (B) in paragraph (2)—

20 (i) by amending subparagraph (A) to
21 read as follows:

22 “(A) for fiscal year 2016, \$200,000;”;

23 (ii) by striking subparagraph (B); and

24 (iii) by redesignating subparagraph
25 (C) as subparagraph (B);

1 (C) in paragraph (3), by striking “section
2 3303” and all that follows and inserting “sec-
3 tion 3303, for fiscal year 2016 and each subse-
4 quent fiscal year, \$750,000.”;

5 (D) in paragraph (4), by striking subpara-
6 graphs (A) and (B) and inserting the following:

7 “(A) for fiscal year 2016, the amount de-
8 termined for such fiscal year under subpara-
9 graph (C) as in effect on the day before the
10 date of enactment of the James Zadroga 9/11
11 Health and Compensation Reauthorization Act;

12 “(B) for fiscal year 2017, \$15,000,000;
13 and”;

14 (E) in paragraph (5)—

15 (i) by striking subparagraph (B);

16 (ii) by redesignating subparagraph
17 (C) as subparagraph (B); and

18 (iii) by amending subparagraph (A) to
19 read as follows:

20 “(A) for fiscal year 2016, the amount de-
21 termined for such fiscal year under subpara-
22 graph (C) as in effect on the day before the
23 date of enactment of the James Zadroga 9/11
24 Health and Compensation Reauthorization Act;
25 and”;

- 1 (F) in paragraph (6)—
2 (i) by striking subparagraph (B);
3 (ii) by redesignating subparagraph
4 (C) as subparagraph (B); and
5 (iii) by amending subparagraph (A) to
6 read as follows:

7 “(A) for fiscal year 2016, the amount de-
8 termined for such fiscal year under subpara-
9 graph (C) as in effect on the day before the
10 date of enactment of the James Zadroga 9/11
11 Health and Compensation Reauthorization Act;
12 and”.

13 (b) GAO STUDIES; REGULATIONS; TERMINATION.—
14 Section 3301 of the Public Health Service Act (42 U.S.C.
15 300mm) is amended by adding at the end the following:

16 “(i) GAO STUDIES.—

17 “(1) REPORT.—Not later than 18 months after
18 the date of the enactment of the James Zadroga 9/
19 11 Health and Compensation Reauthorization Act,
20 the Comptroller General of the United States shall
21 submit to the Committee on Energy and Commerce
22 of the House of Representatives and the Committee
23 on Health, Education, Labor, and Pensions of the
24 Senate a report that assesses, with respect to the

1 WTC Program, the effectiveness of each of the fol-
2 lowing:

3 “(A) The quality assurance program devel-
4 oped and implemented under subsection (e).

5 “(B) The procedures for providing certifi-
6 cations of coverage of conditions as WTC-re-
7 lated health conditions for enrolled WTC re-
8 sponders under section 3312(b)(2)(B)(iii) and
9 for screening-eligible WTC survivors and cer-
10 tified-eligible WTC survivors under such section
11 as applied under section 3322(a).

12 “(C) Any action under the WTC Program
13 to ensure appropriate payment (including the
14 avoidance of improper payments), including de-
15 termining the extent to which individuals en-
16 rolled in the WTC Program are eligible for
17 workers compensation or sources of health cov-
18 erage, ascertaining the liability of such com-
19 pensation or sources of health coverage, and
20 making recommendations for ensuring effective
21 and efficient coordination of benefits for indi-
22 viduals enrolled in the WTC Program that does
23 not place an undue burden on such individuals.

24 “(2) SUBSEQUENT ASSESSMENTS.—Not later
25 than 6 years and 6 months after the date of enact-

1 ment of the James Zadroga 9/11 Health and Com-
2 pensation Reauthorization Act, and every 5 years
3 thereafter through fiscal year 2042, the Comptroller
4 General of the United States shall—

5 “(A) consult the Committee on Energy and
6 Commerce of the House of Representatives and
7 the Committee on Health, Education, Labor,
8 and Pensions of the Senate on the objectives in
9 assessing the WTC Program; and

10 “(B) prepare and submit to such Commit-
11 tees a report that assesses the WTC Program
12 for the applicable reporting period, including
13 the objectives described in subparagraph (A).

14 “(j) REGULATIONS.—The WTC Program Adminis-
15 trator is authorized to promulgate such regulations as the
16 Administrator determines necessary to administer this
17 title.

18 “(k) TERMINATION.—The WTC Program shall ter-
19 minate on October 1, 2090.”.

20 (c) CLINICAL CENTERS OF EXCELLENCE AND DATA
21 CENTERS.—Section 3305 of the Public Health Service Act
22 (42 U.S.C. 300mm–4) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1)(B), by inserting “and
25 retention” after “outreach”; and

1 (B) in paragraph (2)(A)(iii), by inserting
2 “and retention” after “outreach”; and
3 (2) in subsection (b)(1)(B)(vi), by striking “sec-
4 tion 3304(c)” and inserting “section 3304(d)”.

5 (d) WORLD TRADE CENTER RESPONDERS.—Section
6 3311(a)(4)(B)(i)(II) of the Public Health Service Act (42
7 U.S.C. 300mm–21(a)(4)(B)(i)(II)) is amended by striking
8 “through the end of fiscal year 2020”.

9 (e) ADDITIONS TO LIST OF HEALTH CONDITIONS
10 FOR WTC RESPONDERS.—

11 (1) EXPANDING TIME FOR ACTIONS BY ADMIN-
12 STRATOR AND BY ADVISORY COMMITTEE.—Section
13 3312(a)(6) of the Public Health Service Act (42
14 U.S.C. 300mm–22(a)(6)) is amended—

15 (A) in subparagraph (B), in the matter
16 preceding clause (i), by striking “60 days” and
17 inserting “90 days”; and

18 (B) in subparagraph (C), by striking “60
19 days” each place such term appears and insert-
20 ing “90 days”.

21 (2) PEER REVIEW FOR DECISIONS; ENHANCED
22 ROLE OF ADVISORY COMMITTEE.—Section
23 3312(a)(6) of the Public Health Service Act (42
24 U.S.C. 300mm–22(a)(6)), as amended by paragraph

1 (1), is further amended by adding at the end the fol-
2 lowing:

3 “(F) INDEPENDENT PEER REVIEWS.—

4 Prior to issuing a final rule to add a health
5 condition to the list in paragraph (3), the WTC
6 Program Administrator shall provide for an
7 independent peer review of the scientific and
8 technical evidence that would be the basis for
9 issuing such final rule.

10 “(G) ADDITIONAL ADVISORY COMMITTEE
11 RECOMMENDATIONS.—

12 “(i) PROGRAM POLICIES.—

13 “(I) EXISTING POLICIES.—Not
14 later than 1 year after the date of en-
15 actment of the James Zadroga 9/11
16 Health and Compensation Reauthor-
17 ization Act, the WTC Program Ad-
18 ministrator shall request the Advisory
19 Committee to review and evaluate the
20 policies and procedures, in effect at
21 the time of the review and evaluation,
22 that are used to determine whether
23 sufficient evidence exists to support
24 adding a health condition to the list in
25 paragraph (3).

1 “(II) SUBSEQUENT POLICIES.—
2 Prior to establishing any substantive
3 new policy or procedure used to make
4 the determination described in sub-
5 clause (I) or prior to making any sub-
6 stantive amendment to any policy or
7 procedure described in such subclause,
8 the WTC Program Administrator
9 shall request the Advisory Committee
10 to review and evaluate such sub-
11 stantive policy, procedure, or amend-
12 ment.

13 “(ii) IDENTIFICATION OF INDIVID-
14 UALS CONDUCTING INDEPENDENT PEER
15 REVIEWS.—Not later than 1 year after the
16 date of enactment of the James Zadroga 9/
17 11 Health and Compensation Reauthoriza-
18 tion Act and not less than every 2 years
19 thereafter, the WTC Program Adminis-
20 trator shall seek recommendations from
21 the Advisory Committee regarding the
22 identification of individuals to conduct the
23 independent peer reviews under subpara-
24 graph (F).”.

1 (f) WORLD TRADE CENTER SURVIVORS.—Section
2 3321(a)(3)(B)(i)(II) of the Public Health Service Act (42
3 U.S.C. 300mm–31(a)(3)(B)(i)(II)) is amended by striking
4 “through the end of fiscal year 2020”.

5 (g) PAYMENT OF CLAIMS.—Section 3331(d)(1)(B) of
6 the Public Health Service Act (42 U.S.C. 300mm–
7 41(d)(1)(B)) is amended—

8 (1) by striking “the last calendar quarter” and
9 all that follows through “2015” and inserting “each
10 calendar quarter of fiscal year 2016 and of each
11 subsequent fiscal year through fiscal year 2090,”;
12 and

13 (2) by striking “and with respect to calendar
14 quarters in fiscal year 2016” and all that follows
15 and inserting a period.

16 (h) WORLD TRADE CENTER HEALTH REGISTRY.—
17 Section 3342 of the Public Health Service Act (42 U.S.C.
18 300mm–52) is amended by striking “April 20, 2009” and
19 inserting “January 1, 2015”.

20

21

22

23

24

25