

103^D CONGRESS
2^D SESSION

H. R. 4725

To establish a Presidential Commission on Telemedicine.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 1994

Mrs. SCHROEDER introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To establish a Presidential Commission on Telemedicine.

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 “Presidential Commis-
5 sion on Telemedicine Act”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established a commission to be known as the
8 Presidential Commission on Telemedicine (in this Act re-
9 ferred to as the “Commission”).

10 **SEC. 3. DUTIES.**

11 The Commission shall carry out the following duties:

1 (1) Conduct a full and complete review and
2 study of the use of telecommunications and informa-
3 tion systems technologies—

4 (A) in the provision of health care and in
5 the performance of health research—

6 (i) to perform examinations and pro-
7 cedures, and to conduct consultations, re-
8 lating to the diagnosis and treatment of ill-
9 nesses, injuries, and other physical and
10 mental conditions; and

11 (ii) to archive, access, and transmit
12 data that is necessary or appropriate to
13 perform or conduct such examinations,
14 procedures, and consultations;

15 (B) in the training of students of health
16 professions and the continuing education of
17 practicing health care providers; and

18 (C) in the monitoring of medical conditions
19 by individuals at home.

20 (2) Assess whether such technologies are effec-
21 tive in improving the quality and accessibility of
22 health care and reducing the costs of such care.

23 (3) Examine methods by which training in the
24 use of telecommunications and information systems

1 technologies in the delivery of health care might be
2 improved.

3 (4) Analyze any obstacles that may impede such
4 technologies from being widely used and accepted by
5 health care providers in the United States.

6 (5) Develop a model definition of the term
7 “telemedicine” that may be used by health care pro-
8 viders, persons that provide payment for health care
9 services, and other participants in the health care
10 system.

11 **SEC. 4. MEMBERSHIP.**

12 (a) NUMBER AND APPOINTMENT.—The Commission
13 shall be composed of 31 members. The Commission shall
14 consist of the following members:

15 (1) The Vice President of the United States or
16 such individual’s delegate.

17 (2) The Secretary of Defense or such individ-
18 ual’s delegate.

19 (3) The Secretary of Commerce or such individ-
20 ual’s delegate.

21 (4) The Secretary of Health and Human Serv-
22 ices or such individual’s delegate.

23 (5) The Secretary of Energy or such individ-
24 ual’s delegate.

1 (6) 26 individuals appointed by the President
2 from among individuals who are consumers of health
3 care services or are distinguished in the field of bio-
4 medical engineering, computer science, telecommuni-
5 cations, medicine, nursing, health care law, adminis-
6 tration of health care, health education, or business.

7 (b) TERMS.—Each member shall be appointed for the
8 life of the Commission.

9 (c) VACANCIES.—A vacancy in the Commission shall
10 be filled not later than 30 days after the date of the cre-
11 ation of the vacancy in the manner in which the original
12 appointment was made.

13 (d) COMPENSATION.—

14 (1) RATES OF PAY.—Except as provided in
15 paragraph (2), members of the Commission shall
16 serve without pay.

17 (2) TRAVEL EXPENSES.—Each member of the
18 Commission shall receive travel expenses, including
19 per diem in lieu of subsistence, in accordance with
20 sections 5702 and 5703 of title 5, United States
21 Code.

22 (e) QUORUM.—16 members of the Commission shall
23 constitute a quorum, but a lesser number may hold hear-
24 ings, take testimony, or receive evidence.

1 (f) CHAIRPERSON.—The Vice President (or such in-
2 dividual’s delegate) shall be the chairperson of the Com-
3 mission.

4 (g) MEETINGS.—The Commission shall meet at the
5 call of the chairperson of the Commission or a majority
6 of its members.

7 **SEC. 5. STAFF AND SUPPORT SERVICES.**

8 (a) DIRECTOR.—The Commission shall have a direc-
9 tor appointed by the Commission and paid at a rate not
10 to exceed the minimum rate of basic pay payable for GS-
11 13 of the General Schedule.

12 (b) STAFF.—The Commission may appoint and fix
13 the pay of additional personnel as it considers appropriate,
14 except that an individual so appointed may not receive pay
15 in excess of the maximum rate of basic pay payable for
16 GS-11 of the General Schedule.

17 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
18 LAWS.—The director and staff of the Commission may be
19 appointed without regard to the provisions of title 5,
20 United States Code, governing appointments in the com-
21 petitive service, and may be paid without regard to the
22 provisions of chapter 51 and subchapter III of chapter 53
23 of that title relating to classification and General Schedule
24 pay rates, except as provided in subsections (a) and (b).

1 (d) STAFF OF FEDERAL AGENCIES.—Upon request
2 of the Commission, the head of any Federal agency may
3 detail, on a nonreimbursable basis, any of the personnel
4 of the agency to the Commission to assist it in carrying
5 out its duties under this Act.

6 (e) EXPERTS AND CONSULTANTS.—The Commission
7 may procure temporary and intermittent services under
8 section 3109(b) of title 5, United States Code, but at rates
9 for individuals not to exceed the daily equivalent of the
10 minimum annual rate of basic pay payable for GS-13 of
11 the General Schedule.

12 (f) ADMINISTRATIVE SUPPORT SERVICES.—The Ad-
13 ministrator of General Services shall provide to the Com-
14 mission on a reimbursable basis such administrative sup-
15 port services necessary for the Commission to carry out
16 its responsibilities under this Act.

17 **SEC. 6. POWERS.**

18 (a) HEARINGS AND SESSIONS.—The Commission
19 may, for the purpose of carrying out this Act, hold hear-
20 ings, sit and act at times and places, take testimony, and
21 receive evidence as the Commission considers appropriate.
22 The Commission may administer oaths or affirmations to
23 witnesses appearing before it.

24 (b) DELEGATION OF AUTHORITY.—Any member or
25 agent of the Commission may, if authorized by the Com-

1 mission, take any action that the Commission is author-
2 ized to take by this section.

3 (c) INFORMATION.—

4 (1) IN GENERAL.—The Commission may secure
5 directly from any Federal agency information nec-
6 essary to enable it to carry out this Act. Upon re-
7 quest of the Commission, the head of the Federal
8 agency shall furnish the information to the Commis-
9 sion.

10 (2) EXCEPTION.—Paragraph (1) shall not
11 apply to any information that the Commission is
12 prohibited to secure or request by another law.

13 (d) MAILS.—The Commission may use the United
14 States mails in the same manner and under the same con-
15 ditions as other Federal agencies.

16 (e) CONTRACT AUTHORITY.—The Commission may
17 contract with and compensate government and private
18 agencies or persons for supplies or services without regard
19 to section 3709 of the Revised Statutes (41 U.S.C. 5).

20 **SEC. 7. REPORT.**

21 Not later than the expiration of the 1-year period be-
22 ginning on the date of the appointment of the last member
23 of the Commission to be appointed under section 4(a), the
24 Commission shall submit to the President and the Con-

1 gress a report containing the findings, conclusions, and
2 recommendations of the Commission.

3 **SEC. 8. TERMINATION.**

4 The Commission shall terminate not later than the
5 expiration of the 60-day period beginning on the date on
6 which the Commission submits its report under section 7.

7 **SEC. 9. BUDGET COMPLIANCE.**

8 Any spending authority (as defined in subparagraphs
9 (A) and (C) of section 401(c)(2) of the Congressional
10 Budget Act of 1974 (2 U.S.C. 651(c)(2)(A))) authorized
11 by this title shall be effective only to such extent or in
12 such amounts as are provided in appropriation Acts.

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