

HR 1463

Smallpox Emergency Personnel Protection Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Health

Introduced: Mar 27, 2003

Current Status: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 184 -

Latest Action: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 184 - 206 (Roll no. 92). (text: CR H2478-2480) (Mar 31, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/1463>

Sponsor

Name: Rep. Burr, Richard [R-NC-5]

Party: Republican • State: NC • Chamber: Senate

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bilirakis, Michael [R-FL-9]	R · FL		Mar 27, 2003
Rep. Norwood, Charles W. [R-GA-9]	R · GA		Mar 27, 2003
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Mar 27, 2003
Rep. Tauzin, W. J. (Billy) [R-LA-3]	R · LA		Mar 27, 2003
Rep. Upton, Fred [R-MI-6]	R · MI		Mar 27, 2003
Rep. Whitfield, Ed [R-KY-1]	R · KY		Mar 27, 2003

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Mar 27, 2003
Energy and Commerce Committee	House	Referred To	Mar 27, 2003
Judiciary Committee	House	Referred to	Mar 27, 2003

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
108 HR 1770	Related bill	Apr 30, 2003: Became Public Law No: 108-20.

(This measure has not been amended since it was introduced in the House on March 27, 2003. The summary has been expanded because action occurred on the measure.)

Smallpox Emergency Personnel Protection Act of 2003 - (Sec. 2) Amends title II of the Public Health Service Act to add a new part, Part C (Smallpox Emergency Personnel Protection). Directs the Secretary of Health and Human Services to establish procedures for determining whether an individual is an eligible individual under this Act who qualifies for compensation for a covered injury or injuries.

Defines a covered injury as an injury, disability, illness, condition, or death arising in a specified time period from the administration of a smallpox vaccine or arising in specified circumstances from an accidental smallpox inoculation.

Defines a covered individual as an individual from one of certain professions who is or will be functioning as part of a federally approved smallpox emergency response plan and who receives a smallpox vaccine. Defines an eligible individual as a covered individual who sustains a covered injury from a smallpox vaccine or as an individual who is accidentally inoculated and sustains a covered injury.

Directs the Secretary to create a smallpox vaccine injury table identifying adverse effects that shall be presumed to result from the administration of (or exposure to) a smallpox vaccine and the time period in which the first symptom of each such adverse effect must occur for such presumption to apply. Permits the Secretary to amend the table by regulation. Sets forth the procedure for the Secretary to make determinations other than those described in the table as to the causation or severity of an injury.

Allows the Secretary to review and affirm, vacate, or modify determinations of adverse effects. Declares that no court shall have subject matter jurisdiction to review any such determination. Allows an officer or employee of the United States to review any such determination at the behest of the President.

Requires the Secretary to make payments for medical items and services as reasonable and necessary to treat a covered injury of an eligible individual. Directs the Secretary to provide compensation according to a specified formula to an eligible individual for the loss of employment income incurred due to a covered injury. Limits such payments to a maximum of \$50,000 for any year and sets a limit on the lifetime total of such compensation equal to the death benefit established below. Requires the Secretary to pay a permanent and total disability benefit according to a specified formula to an eligible individual who is determined to have a covered injury or injuries meeting the definition of disability in a specified Social Security Act provision outlining definitions. Directs the Secretary to pay a death benefit according to a specified formula to the survivor or survivors of an eligible individual whose death is determined to have resulted from a covered injury or injuries. Sets limitations on both benefits.

Directs the Secretary to ensure that State, local, or Department of Health and Human Services smallpox emergency response plans under this Act are consistent with guidelines of the Centers for Disease Control and Prevention with respect to the education of individual participants and the adequate screening of individuals for vaccine contraindications.

Authorizes appropriations through FY 2007.

(Sec. 3) Amends Public Health Service Act provisions regarding: (1) tort liability for the administration of smallpox countermeasures; and (2) the administration of smallpox countermeasures by health professionals, including to modify the definitions of covered countermeasure, covered person, and qualified person.

Actions Timeline

- **Mar 31, 2003:** Mr. Tauzin moved to suspend the rules and pass the bill.
- **Mar 31, 2003:** Considered under suspension of the rules. (consideration: CR H2478-2494)
- **Mar 31, 2003:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1463.
- **Mar 31, 2003:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Mar 31, 2003:** Considered as unfinished business. (consideration: CR H2504-2505)
- **Mar 31, 2003:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 184 - 206 (Roll no. 92).(text: CR H2478-2480)
- **Mar 31, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 31, 2003:** On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 184 - 206 (Roll no. 92). (text: CR H2478-2480)
- **Mar 27, 2003:** Introduced in House
- **Mar 27, 2003:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Mar 27, 2003:** Referred to the Subcommittee on Immigration, Border Security, and Claims.

LegiList

CONGRESS, MADE CLEAR.

Search Every Federal Bill, Law, and Vote

LegiList is the fastest way to research Congress. Track any bill from introduction to enactment, see how every legislator voted, follow committee activity, and read the full text of every bill — all in one place, always up to date.

legilist.com

Free Course: Learn How Congress Actually Works

LegiList Learn is a free, self-paced course that walks through the entire legislative process — from drafting a bill to a presidential signature. Seven modules, plain language, no politics. Earn a certificate when you finish.

legilist.com/learn

Developer API: Build Apps on Legislative Data

The LegiList API gives developers direct access to bills, votes, legislators, committees, and more. Start free with 1,000 requests per day — no credit card required. Upgrade to Pro when you need to scale.

legilist.com/api

Public data belongs to the public. — legilist.com