

1 **SEC. 3602. NO CUTS IN GUARANTEED BENEFITS.**

2 *Nothing in this Act shall result in the reduction or*  
3 *elimination of any benefits guaranteed by law to partici-*  
4 *pants in Medicare Advantage plans.*

5 **TITLE IV—PREVENTION OF**  
6 **CHRONIC DISEASE AND IM-**  
7 **PROVING PUBLIC HEALTH**

8 **Subtitle A—Modernizing Disease**  
9 **Prevention and Public Health**  
10 **Systems**

11 **SEC. 4001. NATIONAL PREVENTION, HEALTH PROMOTION**  
12 **AND PUBLIC HEALTH COUNCIL.**

13 *(a) ESTABLISHMENT.—The President shall establish,*  
14 *within the Department of Health and Human Services, a*  
15 *council to be known as the “National Prevention, Health*  
16 *Promotion and Public Health Council” (referred to in this*  
17 *section as the “Council”).*

18 *(b) CHAIRPERSON.—The President shall appoint the*  
19 *Surgeon General to serve as the chairperson of the Council.*

20 *(c) COMPOSITION.—The Council shall be composed*  
21 *of—*

22 *(1) the Secretary of Health and Human Serv-*  
23 *ices;*

24 *(2) the Secretary of Agriculture;*

25 *(3) the Secretary of Education;*

1           (4) *the Chairman of the Federal Trade Commis-*  
2           *sion;*

3           (5) *the Secretary of Transportation;*

4           (6) *the Secretary of Labor;*

5           (7) *the Secretary of Homeland Security;*

6           (8) *the Administrator of the Environmental Pro-*  
7           *tection Agency;*

8           (9) *the Director of the Office of National Drug*  
9           *Control Policy;*

10          (10) *the Director of the Domestic Policy Council;*

11          (11) *the Assistant Secretary for Indian Affairs;*

12          (12) *the Chairman of the Corporation for Na-*  
13          *tional and Community Service; and*

14          (13) *the head of any other Federal agency that*  
15          *the chairperson determines is appropriate.*

16          (d) *PURPOSES AND DUTIES.—The Council shall—*

17               (1) *provide coordination and leadership at the*  
18               *Federal level, and among all Federal departments and*  
19               *agencies, with respect to prevention, wellness and*  
20               *health promotion practices, the public health system,*  
21               *and integrative health care in the United States;*

22               (2) *after obtaining input from relevant stake-*  
23               *holders, develop a national prevention, health pro-*  
24               *motion, public health, and integrative health care*  
25               *strategy that incorporates the most effective and*

1 *achievable means of improving the health status of*  
2 *Americans and reducing the incidence of preventable*  
3 *illness and disability in the United States;*

4 (3) *provide recommendations to the President*  
5 *and Congress concerning the most pressing health*  
6 *issues confronting the United States and changes in*  
7 *Federal policy to achieve national wellness, health*  
8 *promotion, and public health goals, including the re-*  
9 *duction of tobacco use, sedentary behavior, and poor*  
10 *nutrition;*

11 (4) *consider and propose evidence-based models,*  
12 *policies, and innovative approaches for the promotion*  
13 *of transformative models of prevention, integrative*  
14 *health, and public health on individual and commu-*  
15 *nity levels across the United States;*

16 (5) *establish processes for continual public input,*  
17 *including input from State, regional, and local lead-*  
18 *ership communities and other relevant stakeholders,*  
19 *including Indian tribes and tribal organizations;*

20 (6) *submit the reports required under subsection*  
21 *(g); and*

22 (7) *carry out other activities determined appro-*  
23 *priate by the President.*

24 (e) *MEETINGS.*—*The Council shall meet at the call of*  
25 *the Chairperson.*

1 (f) *ADVISORY GROUP.*—

2 (1) *IN GENERAL.*—*The President shall establish*  
3 *an Advisory Group to the Council to be known as the*  
4 *“Advisory Group on Prevention, Health Promotion,*  
5 *and Integrative and Public Health” (hereafter re-*  
6 *ferred to in this section as the “Advisory Group”).*  
7 *The Advisory Group shall be within the Department*  
8 *of Health and Human Services and report to the Sur-*  
9 *geon General.*

10 (2) *COMPOSITION.*—

11 (A) *IN GENERAL.*—*The Advisory Group*  
12 *shall be composed of not more than 25 non-Fed-*  
13 *eral members to be appointed by the President.*

14 (B) *REPRESENTATION.*—*In appointing*  
15 *members under subparagraph (A), the President*  
16 *shall ensure that the Advisory Group includes a*  
17 *diverse group of licensed health professionals, in-*  
18 *cluding integrative health practitioners who have*  
19 *expertise in—*

20 (i) *worksite health promotion;*

21 (ii) *community services, including*  
22 *community health centers;*

23 (iii) *preventive medicine;*

24 (iv) *health coaching;*

25 (v) *public health education;*

1                   (vi) geriatrics; and

2                   (vii) rehabilitation medicine.

3                   (3) *PURPOSES AND DUTIES.*—*The Advisory*  
4                   *Group shall develop policy and program recommenda-*  
5                   *tions and advise the Council on lifestyle-based chronic*  
6                   *disease prevention and management, integrative*  
7                   *health care practices, and health promotion.*

8                   (g) *NATIONAL PREVENTION AND HEALTH PROMOTION*  
9                   *STRATEGY.*—*Not later than 1 year after the date of enact-*  
10                  *ment of this Act, the Chairperson, in consultation with the*  
11                  *Council, shall develop and make public a national preven-*  
12                  *tion, health promotion and public health strategy, and shall*  
13                  *review and revise such strategy periodically. Such strategy*  
14                  *shall—*

15                   (1) *set specific goals and objectives for improving*  
16                   *the health of the United States through federally-sup-*  
17                   *ported prevention, health promotion, and public*  
18                   *health programs, consistent with ongoing goal setting*  
19                   *efforts conducted by specific agencies;*

20                   (2) *establish specific and measurable actions and*  
21                   *timelines to carry out the strategy, and determine ac-*  
22                   *countability for meeting those timelines, within and*  
23                   *across Federal departments and agencies; and*

24                   (3) *make recommendations to improve Federal*  
25                   *efforts relating to prevention, health promotion, pub-*

1        *lic health, and integrative health care practices to en-*  
2        *sure Federal efforts are consistent with available*  
3        *standards and evidence.*

4        *(h) REPORT.—Not later than July 1, 2010, and annu-*  
5        *ally thereafter through January 1, 2015, the Council shall*  
6        *submit to the President and the relevant committees of Con-*  
7        *gress, a report that—*

8                *(1) describes the activities and efforts on preven-*  
9                *tion, health promotion, and public health and activi-*  
10               *ties to develop a national strategy conducted by the*  
11               *Council during the period for which the report is pre-*  
12               *pared;*

13               *(2) describes the national progress in meeting*  
14               *specific prevention, health promotion, and public*  
15               *health goals defined in the strategy and further de-*  
16               *scribes corrective actions recommended by the Council*  
17               *and taken by relevant agencies and organizations to*  
18               *meet these goals;*

19               *(3) contains a list of national priorities on*  
20               *health promotion and disease prevention to address*  
21               *lifestyle behavior modification (smoking cessation,*  
22               *proper nutrition, appropriate exercise, mental health,*  
23               *behavioral health, substance use disorder, and domes-*  
24               *tic violence screenings) and the prevention measures*  
25               *for the 5 leading disease killers in the United States;*

1           (4) contains specific science-based initiatives to  
2           achieve the measurable goals of Healthy People 2010  
3           regarding nutrition, exercise, and smoking cessation,  
4           and targeting the 5 leading disease killers in the  
5           United States;

6           (5) contains specific plans for consolidating Fed-  
7           eral health programs and Centers that exist to pro-  
8           mote healthy behavior and reduce disease risk (includ-  
9           ing eliminating programs and offices determined to  
10          be ineffective in meeting the priority goals of Healthy  
11          People 2010);

12          (6) contains specific plans to ensure that all  
13          Federal health care programs are fully coordinated  
14          with science-based prevention recommendations by the  
15          Director of the Centers for Disease Control and Pre-  
16          vention; and

17          (7) contains specific plans to ensure that all  
18          non-Department of Health and Human Services pre-  
19          vention programs are based on the science-based  
20          guidelines developed by the Centers for Disease Con-  
21          trol and Prevention under paragraph (4).

22          (i) *PERIODIC REVIEWS.*—The Secretary and the  
23          Comptroller General of the United States shall jointly con-  
24          duct periodic reviews, not less than every 5 years, and eval-  
25          uations of every Federal disease prevention and health pro-

1 *motion initiative, program, and agency. Such reviews shall*  
2 *be evaluated based on effectiveness in meeting metrics-based*  
3 *goals with an analysis posted on such agencies' public*  
4 *Internet websites.*

5 **SEC. 4002. PREVENTION AND PUBLIC HEALTH FUND.**

6 (a) *PURPOSE.*—*It is the purpose of this section to es-*  
7 *tablish a Prevention and Public Health Fund (referred to*  
8 *in this section as the “Fund”), to be administered through*  
9 *the Department of Health and Human Services, Office of*  
10 *the Secretary, to provide for expanded and sustained na-*  
11 *tional investment in prevention and public health programs*  
12 *to improve health and help restrain the rate of growth in*  
13 *private and public sector health care costs.*

14 (b) *FUNDING.*—*There are hereby authorized to be ap-*  
15 *propriated, and appropriated, to the Fund, out of any mon-*  
16 *ies in the Treasury not otherwise appropriated—*

17 (1) *for fiscal year 2010, \$500,000,000;*

18 (2) *for fiscal year 2011, \$750,000,000;*

19 (3) *for fiscal year 2012, \$1,000,000,000;*

20 (4) *for fiscal year 2013, \$1,250,000,000;*

21 (5) *for fiscal year 2014, \$1,500,000,000; and*

22 (6) *for fiscal year 2015, and each fiscal year*  
23 *thereafter, \$2,000,000,000.*

24 (c) *USE OF FUND.*—*The Secretary shall transfer*  
25 *amounts in the Fund to accounts within the Department*