AMENDMENT TO RULES COMMITTEE PRINT 118–36

OFFERED BY MR. MCCAUL OF TEXAS

At the end of subtitle B of title VII, insert the following new section:

SEC. 7___. REPORT ON MEDICAL INSTRUMENT STERILIZATION.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—The Inspector General of the Defense Health Agency shall conduct a study on the adequacy of sterilization of medical instruments at medical facilities of the Defense Health Agency.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following elements:

(A) A description of the processes or checks used to ensure medical instruments are sterilized prior to use on patients at medical facilities of the Defense Health Agency.

(B) A description of the policies and processes used to identify and mitigate the use of insufficiently sterilized medical instruments at such medical facilities and the processes and

timelines for informing patients of any such near-miss (if any disclosure is required).

(C) An identification of the aggregate number of adverse events or near-misses as a result of insufficiently sterilized medical instruments at such medical facilities during the period beginning on January 1, 2022, and ending on January 1, 2024.

(D) A determination of primary factors that result in insufficiently sterilized medical instruments at such medical facilities.

(E) A description of the extent to which unsterilized medical instruments have impacted the operation of such medical facilities.

(F) An assessment of whether such medical facilities have sufficient—

(i) medical instruments;

(ii) medical devices to timely clean and sterilize medical instruments; and

(iii) staff to sterilize medical instruments.

(G) An assessment of whether staff at such medical facilities are properly trained to sterilize medical instruments.

(H) A determination of the number of surgeries at such medical facilities that were delayed or rescheduled as a result of unsterilized medical instruments.

(I) Recommendations to improve the sterilization of medical instruments at such medical facilities, including an identification and evaluation of existing options, such as mobile sterilization units and coordinating with community medical centers to expand surgical capacity.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to Congress a report on the study required by subsection (a), which shall include an action plan to consider and implement the recommendations included in such study.