

103^D CONGRESS
2^D SESSION

S. 2433

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 1994

Referred to the Committee on Energy and Commerce

AN ACT

To amend title VIII of the Public Health Service Act to consolidate and reauthorize nursing education programs under such title, and for other purposes.

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 “Nursing Education
5 Consolidation and Reauthorization Act of 1994”.

1 **SEC. 2. PURPOSE.**

2 It is the purpose of this Act to restructure the nurse
3 education authorities of title VIII of the Public Health
4 Service Act to permit a comprehensive, flexible, and effec-
5 tive approach to Federal support for nursing workforce
6 development.

7 **SEC. 3. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.**

8 Title VIII of the Public Health Service Act (42
9 U.S.C. 296k et seq.) is amended—

10 (1) by striking the title heading and all that fol-
11 lows except for subparts II and III of part B and
12 section 855; and inserting the following:

13 **“TITLE VIII—NURSING**
14 **WORKFORCE DEVELOPMENT”;**

15 (2) in subpart II of part B, by striking the sub-
16 part heading and inserting the following:

17 **“PART E—STUDENT LOANS**
18 **“Subpart I—General Program”;**

19 (3) by redesignating subpart III as subpart II;

20 (4) by striking section 837;

21 (5) in section 846, by striking subsection (d)
22 and inserting the following new subsection:

23 **“(d) BREACH OF AGREEMENTS FOR OBLIGATED**
24 **SERVICE.—**

25 **“(1) IN GENERAL.—**In the case of any program
26 under this section under which an individual makes

1 an agreement to provide health services for a period
2 of time in accordance with such program in consid-
3 eration of receiving an award of Federal funds re-
4 garding education as a nurse (including an award
5 for the repayment of loans), the following applies if
6 the agreement provides that this subsection is appli-
7 cable:

8 “(A) In the case of a program under this
9 section that makes an award of Federal funds
10 for attending an accredited program of nursing
11 (in this subsection referred to as a ‘nursing pro-
12 gram’), the individual is liable to the Federal
13 Government for the amount of such award (in-
14 cluding amounts provided for expenses related
15 to such attendance), and for interest on such
16 amount at the maximum legal prevailing rate,
17 if the individual—

18 “(i) fails to maintain an acceptable
19 level of academic standing in the nursing
20 program (as indicated by the program in
21 accordance with requirements established
22 by the Secretary);

23 “(ii) is dismissed from the nursing
24 program for disciplinary reasons; or

1 “(iii) voluntarily terminates the nurs-
2 ing program.

3 “(B) The individual is liable to the Federal
4 Government for the amount of such award (in-
5 cluding amounts provided for expenses related
6 to such attendance), and for interest on such
7 amount at the maximum legal prevailing rate,
8 if the individual fails to provide health services
9 in accordance with the program under this sec-
10 tion for the period of time applicable under the
11 program.

12 “(2) WAIVER OR SUSPENSION OF LIABILITY.—
13 In the case of an individual or health facility making
14 an agreement for purposes of paragraph (1), the
15 Secretary shall provide for the waiver or suspension
16 of liability under such paragraph if compliance by
17 the individual or the health facility, as the case may
18 be, with the agreements involved is impossible, or
19 would involve extreme hardship to the individual or
20 facility, and if enforcement of the agreements with
21 respect to the individual or facility would be uncon-
22 scionable.

23 “(3) DATE CERTAIN FOR RECOVERY.—Subject
24 to paragraph (2), any amount that the Federal Gov-
25 ernment is entitled to recover under paragraph (1)

1 shall be paid to the United States not later than the
2 expiration of the 3-year period beginning on the date
3 the United States becomes so entitled.

4 “(4) AVAILABILITY.—Amounts recovered under
5 paragraph (1) with respect to a program under this
6 section shall be available for the purposes of such
7 program, and shall remain available for such pur-
8 poses until expended.”;

9 (6) by inserting after the title heading the fol-
10 lowing new parts:

11 “PART A—GENERAL PROVISIONS

12 **“SEC. 801. DEFINITIONS.**

13 “As used in this title:

14 “(1) ELIGIBLE ENTITIES.—The term ‘eligible
15 entities’ means schools of nursing, nursing centers,
16 State or local governments, and other public or non-
17 profit private entities determined appropriate by the
18 Secretary that submit to the Secretary an applica-
19 tion in accordance with section 802.

20 “(2) SCHOOL OF NURSING.—The term ‘school
21 of nursing’ means a collegiate, associate degree, or
22 diploma school of nursing in a State.

23 “(3) COLLEGIATE SCHOOL OF NURSING.—The
24 term ‘collegiate school of nursing’ means a depart-
25 ment, division, or other administrative unit in a col-

1 lege or university which provides primarily or exclu-
2 sively a program of education in professional nursing
3 and related subjects leading to the degree of bach-
4 elor of arts, bachelor of science, bachelor of nursing,
5 or to an equivalent degree, or to a graduate degree
6 in nursing, and including advanced training related
7 to such program of education provided by such
8 school, but only if such program, or such unit, col-
9 lege or university is accredited.

10 “(4) ASSOCIATE DEGREE SCHOOL OF NURS-
11 ING.—The term ‘associate degree school of nursing’
12 means a department, division, or other administra-
13 tive unit in a junior college, community college, col-
14 lege, or university which provides primarily or exclu-
15 sively a two-year program of education in profes-
16 sional nursing and allied subjects leading to an asso-
17 ciate degree in nursing or to an equivalent degree,
18 but only if such program, or such unit, college, or
19 university is accredited.

20 “(5) DIPLOMA SCHOOL OF NURSING.—The
21 term ‘diploma school of nursing’ means a school af-
22 filiated with a hospital or university, or an independ-
23 ent school, which provides primarily or exclusively a
24 program of education in professional nursing and al-
25 lied subjects leading to a diploma or to equivalent

1 indicia that such program has been satisfactorily
2 completed, but only if such program, or such affili-
3 ated school or such hospital or university or such
4 independent school is accredited.

5 “(6) ACCREDITED.—

6 “(A) IN GENERAL.—Except as provided in
7 subparagraph (B), the term ‘accredited’ when
8 applied to any program of nurse education
9 means a program accredited by a recognized
10 body or bodies, or by a State agency, approved
11 for such purpose by the Secretary of Education
12 and when applied to a hospital, school, college,
13 or university (or a unit thereof) means a hos-
14 pital, school, college, or university (or a unit
15 thereof) which is accredited by a recognized
16 body or bodies, or by a State agency, approved
17 for such purpose by the Secretary of Education.
18 For the purpose of this paragraph, the Sec-
19 retary of Education shall publish a list of recog-
20 nized accrediting bodies, and of State agencies,
21 which the Secretary of Education determines to
22 be reliable authority as to the quality of edu-
23 cation offered.

24 “(B) NEW PROGRAMS.—A new school of
25 nursing that, by reason of an insufficient period

1 of operation, is not, at the time of the submis-
2 sion of an application for a grant or contract
3 under this title, eligible for accreditation by
4 such a recognized body or bodies or State agen-
5 cy, shall be deemed accredited for purposes of
6 this title if the Secretary of Education finds,
7 after consultation with the appropriate accredi-
8 tation body or bodies, that there is reasonable
9 assurance that the school will meet the accredi-
10 tation standards of such body or bodies prior to
11 the beginning of the academic year following
12 the normal graduation date of students of the
13 first entering class in such school.

14 “(7) NONPROFIT.—The term ‘nonprofit’ as ap-
15 plied to any school, agency, organization, or institu-
16 tion means one which is a corporation or association,
17 or is owned and operated by one or more corpora-
18 tions or associations, no part of the net earnings of
19 which inures, or may lawfully inure, to the benefit
20 of any private shareholder or individual.

21 “(8) STATE.—The term ‘State’ means a State,
22 the Commonwealth of Puerto Rico, the District of
23 Columbia, the Commonwealth of the Northern Mari-
24 ana Islands, Guam, American Samoa, the Virgin Is-
25 lands, or the Trust Territory of the Pacific Islands.

1 **“SEC. 802. APPLICATION.**

2 “(a) IN GENERAL.—To be eligible to receive a grant
3 or contract under this title, an eligible entity shall prepare
4 and submit to the Secretary an application that meets the
5 requirements of this section, at such time, in such manner,
6 and containing such information as the Secretary may re-
7 quire.

8 “(b) PLAN.—An application submitted under this
9 section shall contain the plan of the applicant for carrying
10 out a project with amounts received under this title. Such
11 plan shall be consistent with relevant Federal, State, or
12 regional program plans.

13 “(c) PERFORMANCE OUTCOME STANDARDS.—An ap-
14 plication submitted under this section shall contain a spec-
15 ification by the applicant entity of performance outcome
16 standards that the project to be funded under the grant
17 or contract will be measured against. Such standards shall
18 address relevant national nursing needs that the project
19 will meet. The recipient of a grant or contract under this
20 section shall meet the standards set forth in the grant or
21 contract application.

22 “(d) LINKAGES.—An application submitted under
23 this section shall contain a description of the linkages with
24 relevant educational and health care entities, including
25 training programs for other health professionals as appro-

1 piate, that the project to be funded under the grant or
2 contract will establish.

3 **“SEC. 803. USE OF FUNDS.**

4 “(a) IN GENERAL.—Amounts provided under a grant
5 or contract awarded under this title may be used for train-
6 ing program development and support, faculty develop-
7 ment, model demonstrations, trainee support including
8 tuition, books, program fees and reasonable living ex-
9 penses during the period of training, technical assistance,
10 workforce analysis, and dissemination of information, as
11 appropriate to meet recognized nursing objectives, in ac-
12 cordance with this title.

13 “(b) MAINTENANCE OF EFFORT.—With respect to
14 activities for which a grant awarded under this title is to
15 be expended, the entity shall agree to maintain expendi-
16 tures of non-Federal amounts for such activities at a level
17 that is not less than the level of such expenditures main-
18 tained by the entity for the fiscal year preceding the fiscal
19 year for which the entity receives such a grant.

20 **“SEC. 804. MATCHING REQUIREMENT.**

21 “The Secretary may require that an entity that ap-
22 plies for a grant or contract under this title provide non-
23 Federal matching funds, as appropriate, to ensure the in-
24 stitutional commitment of the entity to the projects funded
25 under the grant. Such non-Federal matching funds may

1 be provided directly or through donations from public or
2 private entities and may be in cash or in-kind, fairly evalu-
3 ated, including plant, equipment, or services.

4 **“SEC. 805. PREFERENCE.**

5 “In awarding grants or contracts under this title, the
6 Secretary shall give preference to applicants with projects
7 that will substantially benefit rural or underserved popu-
8 lations.

9 **“SEC. 806. GENERALLY APPLICABLE PROVISIONS.**

10 “(a) AWARDING OF GRANTS AND CONTRACTS.—The
11 Secretary shall ensure that grants and contracts under
12 this title are awarded on a competitive basis to carry out
13 innovative demonstration projects or provide for strategic
14 workforce supplementation activities as needed to meet
15 national nursing service goals and in accordance with this
16 title.

17 “(b) INFORMATION REQUIREMENTS.—Recipients of
18 grants and contracts under this title shall meet informa-
19 tion requirements as specified by the Secretary.

20 “(c) TRAINING PROGRAMS.—Training programs con-
21 ducted with amounts received under this title shall meet
22 applicable accreditation and quality standards.

23 “(d) DURATION OF ASSISTANCE.—

24 “(1) IN GENERAL.—Subject to paragraph (2),
25 in the case of an award to an entity of a grant, co-

1 operative agreement, or contract under this title, the
2 period during which payments are made to the en-
3 tity under the award may not exceed 5 years. The
4 provision of payments under the award shall be sub-
5 ject to annual approval by the Secretary of the pay-
6 ments and subject to the availability of appropria-
7 tions for the fiscal year involved to make the pay-
8 ments. This paragraph may not be construed as lim-
9 iting the number of awards under the program in-
10 volved that may be made to the entity.

11 “(2) LIMITATION.—In the case of an award to
12 an entity of a grant, cooperative agreement, or con-
13 tract under this title, paragraph (1) shall apply only
14 to the extent not inconsistent with any other provi-
15 sion of this title that relates to the period during
16 which payments may be made under the award.

17 “(e) PEER REVIEW REGARDING CERTAIN PRO-
18 GRAMS.—Each application for a grant under this title, ex-
19 cept advanced nurse traineeship grants under section
20 811(a)(2), shall be submitted to a peer review group for
21 an evaluation of the merits of the proposals made in the
22 application. The Secretary may not approve such an appli-
23 cation unless a peer review group has recommended the
24 application for approval. Each peer review group under
25 this subsection shall be composed principally of individuals

1 who are not officers or employees of the Federal Govern-
2 ment. This subsection shall be carried out by the Secretary
3 acting through the Administrator of the Health Resources
4 and Services Administration.

5 **“SEC. 807. NATIONAL ADVISORY COUNCIL ON NURSE EDU-
6 CATION AND PRACTICE.**

7 “(a) ESTABLISHMENT.—There is hereby established
8 a National Advisory Council on Nurse Education and
9 Practice (in this section referred to as the ‘Council’), con-
10 sisting of the Secretary or the delegate of the Secretary
11 (who shall be an ex officio member and shall serve as the
12 Chairperson), and 15 members appointed by the Secretary
13 without regard to the Federal civil service laws, of which—

14 “(1) 2 shall be selected from full-time students
15 enrolled in schools of nursing;

16 “(2) 3 shall be selected from the general public;

17 “(3) 2 shall be selected from practicing profes-
18 sional nurses; and

19 “(4) 8 shall be selected from among the leading
20 authorities in the various fields of nursing, higher,
21 and secondary education, and from representatives
22 of hospitals and other institutions and organizations
23 which provide nursing services.

24 A majority of the members shall be nurses. The student-
25 members of the Council shall be appointed for terms of

1 one year and shall be eligible for reappointment to the
2 Council.

3 “(b) DUTIES.—The Council shall advise the Sec-
4 retary in the preparation of general regulations and with
5 respect to policy matters arising in the administration of
6 this title, including the range of issues relating to nurse
7 supply, education and practice improvement.

8 “(c) FUNDING.—Amounts appropriated under this
9 title may be utilized by the Secretary to support the nurse
10 education and practice activities of the Council.

11 **“SEC. 808. TECHNICAL ASSISTANCE.**

12 “Funds appropriated under this title may be used by
13 the Secretary to provide technical assistance in relation
14 to any of the authorities under this title.

15 **“SEC. 809. RECOVERY FOR CONSTRUCTION ASSISTANCE.**

16 “(a) IN GENERAL.—If at any time within 20 years
17 (or within such shorter period as the Secretary may pre-
18 scribe by regulation for an interim facility) after the com-
19 pletion of construction of a facility with respect to which
20 funds have been paid under subpart I of part A (as such
21 subpart was in effect on September 30, 1985)—

22 “(1) the owner of the facility ceases to be a
23 public or nonprofit school,

24 “(2) the facility ceases to be used for the train-
25 ing purposes for which it was constructed, or

1 “(3) the facility is used for sectarian instruction
2 or as a place for religious worship,
3 the United States shall be entitled to recover from the
4 owner of the facility the base amount prescribed by sub-
5 section (c)(1) plus the interest (if any) prescribed by sub-
6 section (c)(2).

7 “(b) NOTICE OF CHANGE IN STATUS.—The owner of
8 a facility which ceases to be a public or nonprofit school
9 as described in paragraph (1) of subsection (a), or the
10 owner of a facility the use of which changes as described
11 in paragraph (2) or (3) of such subsection shall provide
12 the Secretary written notice of such cessation or change
13 of use within 10 days after the date on which such ces-
14 sation or change of use occurs or within 30 days after
15 the date of enactment of the Health Professions Training
16 Assistance Act of 1985, whichever is later.

17 “(c) AMOUNT OF RECOVERY.—

18 “(1) BASE AMOUNT.—The base amount that
19 the United States is entitled to recover under sub-
20 section (a) is the amount bearing the same ratio to
21 the then value (as determined by the agreement of
22 the parties or in an action brought in the district
23 court of the United States for the district in which
24 the facility is situated) of the facility as the amount

1 of the Federal participation bore to the cost of the
2 construction.

3 “(2) INTEREST.—

4 “(A) IN GENERAL.—The interest that the
5 United States is entitled to recover under sub-
6 section (a) is the interest for the period (if any)
7 described in subparagraph (B) at a rate (deter-
8 mined by the Secretary) based on the average
9 of the bond equivalent rates of 91-day Treasury
10 bills auctioned during such period.

11 “(B) TIME PERIOD.—The period referred
12 to in subparagraph (A) is the period begin-
13 ning—

14 “(i) if notice is provided as prescribed
15 by subsection (b), 191 days after the date
16 on which the owner of the facility ceases to
17 be a public or nonprofit school as described
18 in paragraph (1) of subsection (a), or 191
19 days after the date on which the use of the
20 facility changes as described in paragraph
21 (2) or (3) of such subsection, or

22 “(ii) if notice is not provided as pre-
23 scribed by subsection (b), 11 days after the
24 date on which such cessation or change of
25 use occurs,

1 and ending on the date the amount the United
2 States is entitled to recover if collected.

3 “(d) WAIVER OF RIGHTS.—The Secretary may waive
4 the recovery rights of the United States under subsection
5 (a)(2) with respect to a facility (under such conditions as
6 the Secretary may establish by regulation) if the Secretary
7 determines that there is good cause for waiving such
8 rights.

9 “(e) LIMITATION ON LIENS.—The right of recovery
10 of the United States under subsection (a) shall not, prior
11 to judgment, constitute a lien on any facility.

12 “PART B—NURSE PRACTITIONERS, NURSE MID-
13 WIVES, AND OTHER ADVANCED PRACTICE
14 NURSES

15 “**SEC. 811. ADVANCED PRACTICE NURSING GRANTS.**

16 “(a) IN GENERAL.—The Secretary may award grants
17 to and enter into contracts with eligible entities to meet
18 the costs of—

19 “(1) projects that support the enhancement of
20 advanced practice nursing education and practice;
21 and

22 “(2) traineeships for individuals in advanced
23 practice nursing programs.

24 “(b) DEFINITION OF ADVANCED PRACTICE
25 NURSES.—For purposes of this section, the term ‘ad-

1 vanced practice nurses' means nurses trained in advanced
2 degree programs including individuals in combined R.N./
3 Master's degree programs, post-nursing master's certifi-
4 cate programs, or, in the case of nurse midwives or nurse
5 anesthetists, in certificate programs that received funding
6 under this title on the date that is one day prior to the
7 date of enactment of this section, to serve as nurse practi-
8 tioners, nurse midwives, nurse anesthetists, nurse edu-
9 cators, or public health nurses, or in other nurse special-
10 ties determined by the secretary to require advanced edu-
11 cation.

12 “(c) AUTHORIZED NURSE PRACTITIONER AND
13 NURSE-MIDWIFERY PROGRAMS.—

14 “(1) IN GENERAL.—Nurse practitioner and
15 nurse midwifery programs eligible for support under
16 this section are educational programs for registered
17 nurses (irrespective of the type of school of nursing
18 in which the nurses received their training) that—

19 “(A) meet guidelines prescribed by the
20 Secretary in accordance with paragraph (2);
21 and

22 “(B) have as their objective the education
23 of nurses who will upon completion of their
24 studies in such programs, be qualified to effec-
25 tively provide primary health care, including

1 primary health care in homes and in ambula-
2 tory care facilities, long-term care facilities and
3 other health care institutions.

4 “(2) GUIDELINES.—After consultation with ap-
5 propriate educational organizations and professional
6 nursing and medical organizations, the Secretary
7 shall prescribe guidelines for programs described in
8 paragraph (1). Such guidelines shall, as a minimum,
9 require that such a program—

10 “(A) extend for at least one academic year
11 and consist of—

12 “(i) supervised clinical practice di-
13 rected toward preparing nurses to deliver
14 primary health care; and

15 “(ii) at least four months (in the ag-
16 gregate) of classroom instruction that is so
17 directed; and

18 “(B) have an enrollment of not less than
19 six full-time equivalent students.

20 “(d) OTHER AUTHORIZED EDUCATIONAL PRO-
21 GRAMS.—The Secretary shall prescribe guidelines as ap-
22 propriate for other advanced practice nurse education pro-
23 grams eligible for support under this section.

24 “(e) TRAINEESHIPS.—

1 “(1) IN GENERAL.—The Secretary may not
2 award a grant to an applicant under subsection (a)
3 unless the applicant involved agrees that
4 traineeships provided with the grant will pay all or
5 part of the costs of—

6 “(A) the tuition, books, and fees of the
7 program of advanced nursing practice with re-
8 spect to which the traineeship is provided; and

9 “(B) the reasonable living expenses of the
10 individual during the period for which the
11 traineeship is provided.

12 “(2) DOCTORAL PROGRAMS.—The Secretary
13 may not obligate more than 10 percent of the
14 traineeships under subsection (a) for individuals in
15 doctorate degree programs.

16 “(3) SPECIAL CONSIDERATION.—In making
17 awards of grants and contracts under subsection
18 (a)(2), the Secretary shall give special consideration
19 to an eligible entity that agrees to expend the award
20 to train advanced practice nurses who will practice
21 in health professional shortage areas designated
22 under section 332.

23 “(f) AUTHORIZATION OF APPROPRIATIONS.—

24 “(1) IN GENERAL.—There are authorized to be
25 appropriated to carry out this section, \$50,000,000

1 for fiscal year 1995, and such sums as may be nec-
2 essary for each of the fiscal years 1996 and 1997.

3 “(2) SET ASIDES.—Of the amount appropriated
4 under paragraph (1) for a fiscal year—

5 “(A) not less than 60 percent of such
6 amount shall be made available for projects to
7 enhance the training and practice of nurse
8 practitioners and nurse midwives; and

9 “(B) not less than 6 percent of such
10 amounts shall be made available for projects to
11 enhance the training and practice of nurse an-
12 esthetists.

13 “PART C—INCREASING NURSING WORKFORCE
14 DIVERSITY

15 “**SEC. 821. WORKFORCE DIVERSITY GRANTS.**

16 “(a) IN GENERAL.—The Secretary may award grants
17 to and enter into contracts with eligible entities to meet
18 the costs of special projects to increase nursing education
19 opportunities for individuals who are from disadvantaged
20 racial and ethnic backgrounds underrepresented among
21 registered nurses by providing student scholarships or sti-
22 pends, pre-entry preparation, and retention activities.

23 “(b) GUIDANCE.—In carrying out subsection (a), the
24 Secretary shall take into consideration the recommenda-
25 tions of the First and Second Invitational Congresses for

1 Minority Nurse Leaders on ‘Caring for the Emerging Ma-
2 jority,’ in 1992 and 1993, and consult with nursing asso-
3 ciations including the American Nurses Association, the
4 National League for Nursing, the American Association
5 of Colleges of Nursing, the Black Nurses Association, the
6 Association of Hispanic Nurses, the Association of Asian
7 American and Pacific Islander Nurses, the National
8 Nurses Association, the Native American Indian and Alas-
9 kan Nurses Association.

10 “(c) REQUIRED INFORMATION AND CONDITIONS FOR
11 AWARD RECIPIENTS.—

12 “(1) IN GENERAL.—Recipients of awards under
13 this section may be required, where requested, to re-
14 port to the Secretary concerning the annual admis-
15 sion, retention, and graduation rates for ethnic and
16 racial minorities in the school or schools involved in
17 the projects.

18 “(2) FALLING RATES.—If any of the rates re-
19 ported under paragraph (1) fall below the average of
20 the two previous years, the grant or contract recipi-
21 ent shall provide the Secretary with plans for imme-
22 diately improving such rates.

23 “(3) INELIGIBILITY.—A recipient described in
24 paragraph (2) shall be ineligible for continued fund-
25 ing under this section if the plan of the recipient

1 fails to improve the rates within the 1-year period
2 beginning on the date such plan is implemented.

3 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section,
5 \$5,000,000 for fiscal year 1995, and such sums as may
6 be necessary for each of the fiscal years 1996 and 1997.

7 “PART D—STRENGTHENING CAPACITY FOR
8 BASIC NURSE EDUCATION AND PRACTICE

9 “**SEC. 831. BASIC NURSE EDUCATION AND PRACTICE**
10 **GRANTS.**

11 “(a) IN GENERAL.—The Secretary may award grants
12 to and enter into contracts with eligible entities for
13 projects to strengthen capacity for basic nurse education
14 and practice.

15 “(b) PRIORITY AREAS.—In awarding grants or con-
16 tracts under this section the Secretary shall give priority
17 to entities that will use amounts provided under such a
18 grant or contract to enhance the education mix and utili-
19 zation of the basic nursing workforce by strengthening
20 programs that provide basic nurse education for purposes
21 of—

22 “(1) improving nursing services in schools and
23 other community settings;

24 “(2) providing care for underserved populations
25 and other high-risk groups such as the elderly, indi-

1 individuals with HIV-AIDS, substance abusers, home-
2 less, and battered women;

3 “(3) providing case management, quality im-
4 provement, delegation and supervision, other skills
5 needed under new health care systems;

6 “(4) developing cultural competencies among
7 nurses;

8 “(5) providing emergency health services;

9 “(6) promoting career mobility for nursing per-
10 sonnel in a variety of training settings and cross
11 training or specialty training among diverse popu-
12 lation groups; or

13 “(7) other priority areas as determined by the
14 Secretary.

15 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section,
17 \$12,000,000 for fiscal year 1995, and such sums as may
18 be necessary for each of the fiscal years 1996 and 1997.”;
19 and

20 (7) by redesignating section 855 as section 810,
21 and transferring such section so as to appear after
22 section 809 (as added by the amendment made by
23 paragraph (6)).

1 **SEC. 4. SAVINGS PROVISION AND TECHNICAL AMEND-**
2 **MENTS.**

3 (a) SAVINGS PROVISION.—In the case of any author-
4 ity for making awards of grants or contracts that is termi-
5 nated by the amendment made by section 3, the Secretary
6 of Health and Human Services may, notwithstanding the
7 termination of the authority, continue in effect any grant
8 or contract made under the authority that is in effect on
9 the day before the date of the enactment of this Act, sub-
10 ject to the duration of any such grant or contract not ex-
11 ceeding the period determined by the Secretary in first
12 approving such financial assistance, or in approving the
13 most recent request made (before the date of such enact-
14 ment) for continuation of such assistance, as the case may
15 be.

16 (b) CLINICAL RESEARCHERS.—Paragraph (3) of sec-
17 tion 487E(a) of the Public Health Service Act (42 U.S.C.
18 288–5(a)(3)) is amended to read as follows:

19 “(3) APPLICABILITY OF CERTAIN PROVISIONS
20 REGARDING OBLIGATED SERVICE.—With respect to
21 the National Health Service Corps loan repayment
22 program established in subpart III of part D of title
23 III, the provisions of such subpart shall, except as
24 inconsistent with this section, apply to the program
25 established in subsection (a) in the same manner
26 and to the same extent as such provisions apply to

1 the National Health Service Corps loan repayment
2 programs.”.

3 (c) TECHNICAL AMENDMENTS.—Section 839 of such
4 Act (42 U.S.C. 297e) is amended—

5 (1) in subsection (a)—

6 (A) by striking the matter preceding para-
7 graph (1) and inserting the following:

8 “(a) If a school terminates a loan fund established
9 under an agreement pursuant to section 835(b), or if the
10 Secretary for good cause terminates the agreement with
11 the school, there shall be a capital distribution as fol-
12 lows:”; and

13 (B) in paragraph (1), by striking “at the
14 close of September 30, 1999,” and inserting

15 “on the date of termination of the fund”; and

16 (2) in subsection (b), to read as follows:

17 “(b) If a capital distribution is made under sub-
18 section (a), the school involved shall, after such capital dis-
19 tribution, pay to the Secretary, not less often than quar-
20 terly, the same proportionate share of amounts received
21 by the school in payment of principal or interest on loans
22 made from the loan fund established under section 835(b)
23 as determined by the Secretary under subsection (a).”.

1 **SEC. 5. EFFECTIVE DATE.**

2 This Act shall take effect on October 1, 1994, or the
3 date of enactment of this Act, whichever is later.

 Passed the Senate October 6 (legislative day, Sep-
tember 12), 1994.

Attest:

MARTHA S. POPE,
Secretary.

S 2433 RFH—2