

104TH CONGRESS
1ST SESSION

H. R. 2206

To provide for the consolidation and simplification of health center programs,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 1995

Mr. DINGELL (for himself and Mr. WAXMAN) introduced the following bill;
which was referred to the Committee on Commerce

A BILL

To provide for the consolidation and simplification of health
center programs, 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 AND REFERENCES IN ACT.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Health Centers Consolidation Act of 1995”.

6 (b) REFERENCES IN ACT.—The amendments in this
7 Act apply to the Public Health Service Act unless other-
8 wise specifically stated.

1 **SEC. 2. CONSOLIDATION OF AUTHORITY FOR COMMUNITY**
2 **HEALTH CENTERS, MIGRANT HEALTH CEN-**
3 **TERS, HEALTH SERVICES FOR THE HOME-**
4 **LESS, AND HEALTH SERVICES FOR RESI-**
5 **DENTS OF PUBLIC HOUSING.**

6 (a) NEW AND REVISED TERMS.—

7 (1) HEALTH CENTER.—

8 (A) DEFINITION.—Section 330(a) is
9 amended to read as follows:

10 “(a) For purposes of this section, the term ‘health
11 center’ means an entity that serves a population that is
12 medically underserved, or that serves a special medically
13 underserved population comprised of migratory agricul-
14 tural workers, seasonal agricultural workers, the homeless,
15 or residents of public housing by providing, either through
16 its staff and supporting resources or through contracts or
17 cooperative arrangements—

18 “(1) required primary health services (as de-
19 fined in subsection (b)(1)); and

20 “(2) as may be appropriate for particular cen-
21 ters, additional health services (as defined in sub-
22 section (b)(2)) necessary for the adequate support of
23 the required primary health services;

24 for all residents of the area it serves (referred to in this
25 section as a ‘catchment area’).”.

1 (B) CONFORMING AMENDMENTS.—Section
2 330 is amended—

3 (i) by striking the term “community
4 health center” each place such term ap-
5 pears and inserting “health center”; and

6 (ii) by striking the term “community
7 health centers” each place such term ap-
8 pears and inserting “health centers”.

9 (2) REQUIRED PRIMARY HEALTH SERVICES.—
10 Section 330(b)(1) is amended to read as follows:

11 “(1) The term ‘required primary health serv-
12 ices’ means—

13 “(A) basic health services which, for pur-
14 poses of this section, consist of—

15 “(i) health services related to family
16 medicine, internal medicine, pediatrics, ob-
17 stetrics, gynecology, or dentistry that are
18 furnished by physicians, dentists, and,
19 where appropriate, physician assistants,
20 nurse practitioners, and nurse midwives;

21 “(ii) diagnostic laboratory and
22 radiologic services;

23 “(iii) preventive health services, in-
24 cluding—

1 “(I) prenatal and perinatal serv-
2 ices;

3 “(II) screening for breast and
4 cervical cancer;

5 “(III) well-child services;

6 “(IV) immunizations against vac-
7 cine-preventable diseases;

8 “(V) screenings for elevated
9 blood lead levels, communicable dis-
10 eases, and cholesterol;

11 “(VI) pediatric eye and ear ex-
12 aminations to determine the need for
13 vision and hearing correction;

14 “(VII) voluntary family planning
15 services; and

16 “(VIII) preventive dental serv-
17 ices;

18 “(iv) emergency medical services;

19 “(v) pharmaceutical services as may
20 be appropriate for particular centers;

21 “(B) referrals to providers of medical serv-
22 ices and other health-related services (including
23 substance abuse and mental health services);

24 “(C) patient case management services (in-
25 cluding counseling, referral, and follow-up serv-

1 ices) designed to assist health center patients in
2 establishing eligibility for, and gaining access
3 to, Federal, State, and local programs that pro-
4 vide or financially support the provision of med-
5 ical, social, educational, or other related serv-
6 ices;

7 “(D) services that enable individuals to use
8 the services of the center (including outreach
9 and transportation services and, if a substantial
10 number of the individuals in the population
11 served by a center are of limited English-speak-
12 ing ability, the services of appropriate personnel
13 fluent in the language spoken by a predominant
14 number of such individuals); and

15 “(E) education of patients and the general
16 population served by the health center regard-
17 ing the availability and proper use of health
18 services.”.

19 (3) ADDITIONAL HEALTH SERVICES.—Section
20 330(b)(2) is amended to read as follows:

21 “(2) The term ‘additional health services’
22 means services which are not included as required
23 primary health services and which are appropriate to
24 meet the health needs of the population serviced by
25 the health center involved. Such term may include—

1 “(A) environmental health services, includ-
2 ing—

3 “(i) the detection and alleviation of
4 unhealthful conditions associated with
5 water supply;

6 “(ii) sewage treatment;

7 “(iii) solid waste disposal;

8 “(iv) rodent and parasitic infestation;

9 “(v) field sanitation;

10 “(vi) housing; and

11 “(vii) other environmental factors re-
12 lated to health; and

13 “(B) in the case of health centers receiving
14 grants pursuant to subsection (f), special occu-
15 pation-related health services for migratory ag-
16 ricultural workers and seasonal agricultural
17 workers, including—

18 “(i) screening for and control of infec-
19 tions and parasitic diseases; and

20 “(ii) accident prevention programs, in-
21 cluding prevention of excessive pesticide
22 exposure.”.

23 (b) RELOCATION AND CONSOLIDATION WITHIN SEC-
24 TION 330 OF AUTHORITIES RESPECTING GRANTS FOR IN-
25 FANT MORTALITY AND CHILDHOOD MORBIDITY, AND

1 GRANTS FOR HEALTH CENTERS SERVING MIGRATORY
2 AND SEASONAL WORKERS, HOMELESS, AND PUBLIC
3 HOUSING POPULATIONS.—

4 (1) REDESIGNATION OF SUBSECTIONS.—Sub-
5 sections (e) through (k) of section 330 are redesi-
6 gnated as subsections (i) through (o), respectively.

7 (2) GRANTS FOR INFANT MORTALITY AND
8 CHILDHOOD MORBIDITY.—

9 (A) Paragraph (2) of section 330(k) (as so
10 redesignated) is amended by redesignating such
11 paragraph as subsection (e);

12 (B) in the material redesignated (by sub-
13 paragraph (A) of this paragraph) as subsection
14 (e), by striking subparagraphs (A), (D), and
15 (E);

16 (C) in the material redesignated (by sub-
17 paragraph (A) of this paragraph) as subsection
18 (e), by redesignating subparagraphs (B), (C),
19 and (F) as paragraphs (1) through (3), respec-
20 tively;

21 (D) in the material redesignated (by sub-
22 paragraph (A) of this paragraph) as subsection
23 (e), by redesignating each clause designated as
24 (i), (ii), (iii), or (iv), as subparagraph (A), (B),
25 (C), or (D), respectively;

1 (E) by redesignating clauses (I) and (II) of
2 paragraph (1)(A) (as redesignated by subpara-
3 graphs (C) and (D) of this paragraph) as
4 clauses (i) and (ii), respectively;

5 (F) by striking “subparagraph (B)” each
6 place such term appears in subsection (e) (as
7 redesignated by subparagraph (A) of this para-
8 graph) and inserting “this subsection”;

9 (G) in subsection (e)(1)(B) (as redesi-
10 gnated by subparagraphs (A), (C), and (D) of
11 this paragraph, by striking “clause (i)” and in-
12 serting “subparagraph (A)”); and

13 (H) in subsection (e)(3) (as redesignated
14 by subparagraphs (A), (C), and (D) of this
15 paragraph)—

16 (i) in the matter preceding subpara-
17 graph (A), by striking “subparagraph (B)”
18 and inserting “paragraph (1)”;

19 (ii) by adding “and” at the end of
20 subparagraph (B);

21 (iii) by striking subparagraph (C);

22 and

23 (iv) by redesignating subparagraph
24 (D) as subparagraph (C).

1 (3) GRANTS FOR HEALTH CENTERS SERVING
2 MIGRATORY AND AGRICULTURAL WORKERS.—

3 (A) Section 330 is amended by inserting
4 after subsection (e) a new subsection as follows:

5 “(f) MIGRATORY AND SEASONAL AGRICULTURAL
6 WORKER POPULATIONS.—(1) The Secretary is authorized
7 to award grants for the purposes described in subsections
8 (c), (d), and (e) for the planning and delivery of services
9 to a special medically underserved population comprised
10 of migratory agricultural workers, seasonal agricultural
11 workers, and members of the families of such migratory
12 and seasonal workers who are within a designated
13 catchment area, and individuals who have previously been
14 migratory agricultural workers but can no longer meet the
15 requirements of subparagraph (A) of paragraph (4) be-
16 cause of age or disability and members of their families
17 who are within such catchment area.

18 “(2) The Secretary may make grants to or enter into
19 contracts with public and nonprofit private entities for
20 projects to plan and develop, and to operate, programs in
21 areas in which no health center serving the special medi-
22 cally underserved population described in paragraph (1)
23 exists and in which not more than 4000 migratory agricul-
24 tural workers and their families reside for more than two
25 months—

1 “(A) for the provision of emergency care to mi-
2 gratory agricultural workers, seasonal agricultural
3 workers, and the members of families of such migra-
4 tory and seasonal workers; and

5 “(B) for the provision of required primary
6 health services and additional health services for
7 such workers and the members of their families.

8 Any such program may include the acquisition, expansion,
9 and modernization of existing buildings, construction of
10 new buildings, and the provision of training related to the
11 management of programs assisted under this paragraph.”.

12 (B) Section 329(e) is amended—

13 (i) by redesignating paragraphs (1)
14 and (2) as subparagraphs (A) and (B), re-
15 spectively; and

16 (ii) by redesignating subsection (e) as
17 paragraph (3) of subsection 330(f).

18 (C) Section 329(a) is amended—

19 (i) in paragraph (4)—

20 (I) in subparagraph (C), by strik-
21 ing “subparagraphs (B)” and insert-
22 ing “clause (ii)”; and

23 (II) by redesignating subpara-
24 graphs (A) through (C) as clauses (i)
25 through (iii), respectively;

1 (ii) by redesignating paragraphs (2),
2 (3), and (4) as subparagraphs (A), (B),
3 and (C), respectively, of new paragraph (4)
4 of section 330(f), and by adjusting their
5 margins so as to align with paragraphs (1)
6 through (3) of such section 330(f).

7 (4) GRANTS FOR HEALTH CENTERS SERVING
8 HOMELESS POPULATIONS.—

9 (A) Section 330 is amended by inserting
10 after subsection (f) a new subsection as follows:

11 “(g) HOMELESS POPULATIONS.—

12 “(1) IN GENERAL.—The Secretary is authorized
13 to award grants for the purposes described in sub-
14 sections (c), (d), and (e) for the planning and deliv-
15 ery of services to a special medically underserved
16 population comprised of homeless individuals, includ-
17 ing homeless children and children at risk of home-
18 lessness.

19 “(2) REQUIRED SERVICES.—In addition to re-
20 quired primary health services (as defined in sub-
21 section (b)(1)), any entity that receives a grant
22 under this subsection shall be required to provide
23 substance abuse services as a condition of such
24 grant.

1 “(3) SUPPLEMENT NOT SUPPLANT REQUIRE-
2 MENT.—Any grant awarded under this subsection
3 must be expended to supplement, and not supplant,
4 the health center’s expenditures for the delivery of
5 services to the population described in paragraph
6 (1).”.

7 (B) Paragraphs (2), (7), and (8) of section
8 340(r) are redesignated as subparagraphs (A),
9 (B), and (C) of paragraph (4), respectively, of
10 section 330(g).

11 (C) Section 330(k)(2)(B) (as redesignated
12 by paragraph (1) of this subsection) is amended
13 by adding at the end the following sentence:
14 “For purposes of applying the preceding sen-
15 tence, the term ‘public centers’ shall not include
16 health centers that receive grants pursuant to
17 subsection (g).”.

18 (5) GRANTS FOR HEALTH CENTERS SERVING
19 PUBLIC HOUSING POPULATIONS.—

20 (A) Section 330 is amended by inserting
21 after subsection (g) a new subsection as follows:

22 “(h) RESIDENTS OF PUBLIC HOUSING.—

23 “(1) IN GENERAL.—The Secretary is authorized
24 to award grants for the purposes described in sub-
25 sections (c), and (d), and (e) for the planning and

1 delivery of services to a special medically under-
2 served population comprised of residents of public
3 housing (which, for purposes of this subsection, shall
4 have the meaning given such term in section 3(b)(1)
5 of the United States Housing Act of 1937) and per-
6 sons living in areas immediately accessible to such
7 public housing.

8 “(2) PREFERENCE.—In awarding grants under
9 this subsection, the Secretary shall give preference
10 to qualified applicants who are resident management
11 corporations under section 20 of the United States
12 Housing Act of 1937 or are receiving funds as a
13 health center under this section.

14 “(3) SUPPLEMENT NOT SUPPLANT.—Any grant
15 awarded under this subsection must be expended to
16 supplement, and not supplant, the health center’s
17 expenditures for the delivery of services to the popu-
18 lation described in paragraph (1).”.

19 (B) Section 340A(g) is amended—

20 (i) by redesignating paragraphs (1)
21 and (2) as subparagraphs (A) and (B), re-
22 spectively; and

23 (ii) by redesignating subsection (g) in
24 its entirety as paragraph (4) of section
25 330(h) and by adjusting its margins so as

1 to align with paragraphs (1) and (2) of
2 such subsection.

3 (C) Section 330(k)(2)(B) (as previously
4 amended by paragraph (3)(C) of this sub-
5 section) is further amended in the last sentence
6 by inserting “or (h)” after “(g)”.

7 (6) EXCEPTIONS FROM CERTAIN ADMINISTRA-
8 TIVE REQUIREMENTS.—

9 (A) SERVICE TO ALL WITHIN CATCHMENT
10 AREA.—Section 330(a) is amended by striking
11 the period and inserting “, except that the re-
12 quirement to serve all residents within a
13 catchment area shall not apply to any grant re-
14 ceived by a health center pursuant to subsection
15 (f), (g), or (h).”.

16 (B) HEALTH CENTER GOVERNING
17 BOARD.—Section 330(i)(3)(G) (as redesignated
18 by paragraph (1) of this subsection) is amended
19 by striking the semi-colon at the end and in-
20 serting “, except that, upon a showing of good
21 cause, the Secretary may waive all or part of
22 the requirements of this subparagraph in the
23 case of a health center that receives a grant
24 pursuant to subsection (f), (g), or (h).”.

25 (c) REDUCTION IN ADMINISTRATIVE DETAILS.—

1 (1) Section 330(b)(4)(B) is amended by strik-
2 ing “infant mortality in an area or population group,
3 other”.

4 (2) Section 330(d)(4)(A)(ii) is amended by
5 striking the last sentence.

6 (3) Section 330(d)(4)(B) is amended by strik-
7 ing everything after “underpayments” and inserting
8 instead a period.

9 (4) Section 330(i)(2) (as redesignated by sub-
10 section (b)(1) of this section) is amended by striking
11 “include—” and all that follows through “Such an
12 application shall also include” and inserting instead
13 “include a description of the need for health services
14 in the center’s catchment area and”; and

15 (5) Section 330(i)(3)(H) (as redesignated by
16 subsection (b)(1) of this section) is amended—

17 (A) in clause (i), by striking “section
18 1861(z) of the Social Security Act” and insert-
19 ing “the Secretary”;

20 (B) by inserting “and” at the end of clause
21 (III); and

22 (C) by striking “, and (V)” and all that
23 follows and inserting instead a semi-colon.

24 (6) Section 330(j) (as redesignated by sub-
25 section (b)(1) of this section) is amended—

1 (A) by striking “(1)”; and

2 (B) by striking paragraph (2).

3 (7) Section 330(m) (as redesignated by sub-
4 section (b)(1) of this section) is amended—

5 (A) by striking paragraph (1) and by re-
6 designating paragraphs (2) through (4) as
7 paragraphs (1) through (3), respectively;

8 (B) in the first sentence of paragraph (1)
9 (as redesignated by subparagraph (A) of this
10 paragraph), by striking everything after “re-
11 quire” and inserting a period; and

12 (C) in the first sentence of paragraph (2)
13 (as redesignated by subparagraph (A) of this
14 paragraph), by striking “or to provide for and
15 audit”.

16 (d) APPROPRIATIONS.—

17 (1) AUTHORIZATION.—Section 330(k)(1)(A) (as
18 redesignated by subsection (b)(1) of this section) is
19 amended to read as follows:

20 “(k)(1) AUTHORIZATION OF APPROPRIATIONS.—For
21 the purpose of carrying out this section, there are author-
22 ized to be appropriated \$756,000,000 for fiscal year 1996
23 and such sums as may be necessary for each of the fiscal
24 years 1997 through 2000.”.

1 (2) REDESIGNATION OF SPECIAL PROVISIONS
2 AND ADDITION OF PERFORMANCE BONUS SET-
3 ASIDE.—

4 (A) Section 330(k) (as so redesignated and
5 amended) is further amended—

6 (i) by striking “(B)” and inserting
7 “(2) SPECIAL PROVISIONS.—(A)”;

8 (ii)(A) in paragraph (3), by striking
9 “(e)(3)” and “(e)(3)(G)(ii)” and inserting
10 “(i)(3)” and “(i)(3)(G)(ii)”, respectively,
11 and

12 (B) by redesignating paragraph (3) as
13 subparagraph (B) of paragraph (2); and

14 (iii) by adding at the end of section
15 330(k)(2) a new subparagraph (C) as fol-
16 lows:

17 “(C) From the funds appropriated pursuant to
18 paragraph (1) for any fiscal year, the Secretary may
19 reserve an amount not to exceed 10 percent for use
20 in making supplemental awards to grantees that the
21 Secretary determines have demonstrated high or im-
22 proved performance in carrying out the purposes of
23 this section.”.

1 (3) SPECIAL RULE REGARDING ALLOCATION OF
2 FUNDING.—Section 330(k)(2) is amended by adding
3 at the end a new subparagraph (D) as follows:

4 “(D) For fiscal years 1996 through 1998, the
5 Secretary shall award grants under this section in
6 such a manner that the percentages of the amount
7 appropriated pursuant to paragraph (1) that are
8 available to support grants made pursuant to sub-
9 sections (f), (g), and (h) shall equal the percentages
10 of the base amount that were appropriated under
11 sections 329, 340, and 340A, respectively, for fiscal
12 year 1995. For purposes of the preceding sentence,
13 the term ‘base amount’ refers to the total of the
14 amounts appropriated to carry out sections 329,
15 330, 340, and 340A for fiscal year 1995.”.

16 (e) DELEGATION AUTHORITY.—Section 330(n) (as
17 redesignated by subsection (b)(1) of this section) is
18 amended by striking “the central office of”.

19 (f) ELIMINATION OF VARIOUS REGULATION RE-
20 QUIREMENTS.—

21 (1) Section 330(b)(4) is amended—

22 (A) in the first sentence, by striking “by
23 regulation”; and

24 (B) by striking the last sentence.

1 (2) Section 330(i)(3)(B) (as redesignated by
2 subsection (b)(1) of this section) is amended by
3 striking “established in accordance with regulations
4 prescribed by the Secretary” and inserting instead
5 “as the Secretary may prescribe”.

6 (3) Section 330 (i)(3)(H) (as redesignated by
7 subsection (b)(1) of this section) is amended—

8 (A) by striking “, in accordance with regu-
9 lations of the Secretary,”; and

10 (B) by striking “, by regulation,”.

11 (4) Section 330(i)(3)(K) (as redesignated by
12 subsection (b)(1) of this section) is amended by
13 striking “, in accordance with regulations of the Sec-
14 retary,”.

15 (5) Section 330(m)(2) (as redesignated by sub-
16 section (b)(1) of this section) is amended by striking
17 “by regulation”.

18 (g) TECHNICAL AND CONFORMING AMENDMENTS.—

19 (1) Section 330(c)(1)(A) is amended by striking
20 “primary” and all that follows and inserting instead
21 “required primary health services and additional
22 health services;”.

23 (2) Section 330(d)(1)(B) is amended by strik-
24 ing “subsection (e)(3)” and inserting instead “sub-
25 section (i)(3)”.

1 (3) Section 330(d)(1)(C)(ii) is amended by
2 striking “subsection (e)(3)(G)” and inserting “sub-
3 section (i)(3)(G)”.

4 (4) Section 330(d)(2) is amended by striking
5 “primary health services, supplemental health serv-
6 ices and environmental health services” and insert-
7 ing “required primary health services and additional
8 health services”.

9 (5) Section 330(i)(1) (as redesignated by sub-
10 section (b)(1) of this section) is amended by striking
11 “subsection (c) or (d)” and inserting “this section”.

12 (6) Section 330(i)(3) (as redesignated by sub-
13 section (b)(1) of this section) is amended in the mat-
14 ter following subparagraph (K) by striking “and
15 subsection (g)(4)”.

16 (7) Section 330(i)(5) (as redesignated by sub-
17 section (b)(1) of this section) is amended by striking
18 “subsection (a)(4)” and inserting “subsection
19 (b)(2)”.

20 (8) Section 330(j) (as redesignated by sub-
21 section (b)(1) and amended by subsection (c)(6) of
22 this section) is further amended—

23 (A) by striking “Health, Education, and
24 Welfare” and inserting “Health and Human
25 Services”; and

1 (B) by striking “subsection (e)(2)” and in-
2 serting “(i)(2)”.

3 (9) The heading of section 330 is amended to
4 read as follows:

5 “HEALTH CENTERS”.

6 (10) The heading of subpart I of part D of title
7 III is amended to read as follows:

8 “SUBPART I—HEALTH CENTERS”.

9 (11) Section 224(g)(4) is amended by striking
10 everything after “under” and inserting instead “sec-
11 tion 330.”.

12 (12) Section 340C(a)(2) is amended by striking
13 everything after “diseases” and inserting instead
14 “with assistance provided under section 330.”.

15 (13) Section 1861(aa)(4)(A) of the Social Secu-
16 rity Act is amended in clauses (i) and (ii)(I) by
17 striking “section 329, 330, or 340” and inserting in-
18 stead “section 330 (other than subsection (h) there-
19 of)”.

20 (14) Section 1905(l)(2)(B) of the Social Secu-
21 rity Act is amended in clauses (i) and (ii)(II) by
22 striking “section 329, 330, 340, or 340A” and in-
23 serting instead “section 330”.

24 (h) REPEALS.—Section 329 and subparts V and VI
25 of part D of title III of the Public Health Service Act
26 are repealed.

1 (i) EFFECTIVE DATE.—This section and the amend-
2 ments made thereby shall be effective with respect to fiscal
3 years beginning after September 30, 1995.

○

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