

104TH CONGRESS
2D SESSION

H. RES. 544

Providing for the concurrence by the House with an amendment in the amendment of the Senate to H.R. 3378.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 1996

Mr. YOUNG of Alaska submitted the following resolution; which was considered under suspension of the rules and agreed to

RESOLUTION

Providing for the concurrence by the House with an amendment in the amendment of the Senate to H.R. 3378.

1 *Resolved*, That upon adoption of this resolution the
2 bill (H.R. 3378) to amend the Indian Health Care Im-
3 provement Act to extend the demonstration program for
4 direct billing of Medicare, Medicaid, and other third party
5 payors, with the Senate amendment thereto, shall be con-
6 sidered to have been taken from the Speaker's table to
7 the end that the Senate amendment thereto be, and the
8 same are hereby, agreed to with an amendment as follows:

9 In lieu of the matter proposed to be inserted by the
10 Senate to the text of the bill, insert the following:

1 **SECTION 1. SHORT TITLE; REFERENCE.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Indian Health Care Improvement Technical Corrections
4 Act of 1996”.

5 (b) REFERENCES.—Whenever in this Act an amend-
6 ment or repeal is expressed in terms of an amendment
7 to or repeal of a section or other provision, the reference
8 shall be considered to be made to a section or other provi-
9 sion of the Indian Health Care Improvement Act.

10 **SEC. 2. TECHNICAL CORRECTIONS IN THE INDIAN HEALTH**
11 **CARE IMPROVEMENT ACT.**

12 (a) DEFINITION OF HEALTH PROFESSION.—Section
13 4(n) (25 U.S.C. 1603(n)) is amended—

14 (1) by inserting “allopathic medicine,” before
15 “family medicine”; and

16 (2) by striking “and allied health professions”
17 and inserting “an allied health profession, or any
18 other health profession”.

19 (b) INDIAN HEALTH PROFESSIONS SCHOLAR-
20 SHIPS.—Section 104(b) of the Indian Health Care Im-
21 provement Act (25 U.S.C. 1613a(b)) is amended—

22 (1) in paragraph (3)—

23 (A) in subparagraph (A)—

24 (i) by striking the matter preceding
25 clause (i) and inserting the following:

1 “(3)(A) The active duty service obligation under a
 2 written contract with the Secretary under section 338A
 3 of the Public Health Service Act (42 U.S.C. 254I) that
 4 an individual has entered into under that section shall,
 5 if that individual is a recipient of an Indian Health Schol-
 6 arship, be met in full-time practice, by service—”;

7 (ii) by striking “or” at the end of
 8 clause (iii); and

9 (iii) by striking the period at the end
 10 of clause (iv) and inserting “; or”;

11 (B) by redesignating subparagraphs (B)
 12 and (C) as subparagraphs (C) and (D), respec-
 13 tively;

14 (C) by inserting after subparagraph (A)
 15 the following new subparagraph:

16 “(B) At the request of any individual who has entered
 17 into a contract referred to in subparagraph (A) and who
 18 receives a degree in medicine (including osteopathic or
 19 allopathic medicine), dentistry, optometry, podiatry, or
 20 pharmacy, the Secretary shall defer the active duty service
 21 obligation of that individual under that contract, in order
 22 that such individual may complete any internship, resi-
 23 dency, or other advanced clinical training that is required
 24 for the practice of that health profession, for an appro-

1 piate period (in years, as determined by the Secretary),
2 subject to the following conditions:

3 “(i) No period of internship, residency, or other
4 advanced clinical training shall be counted as satis-
5 fying any period of obligated service that is required
6 under this section.

7 “(ii) The active duty service obligation of that
8 individual shall commence not later than 90 days
9 after the completion of that advanced clinical train-
10 ing (or by a date specified by the Secretary).

11 “(iii) The active duty service obligation will be
12 served in the health profession of that individual, in
13 a manner consistent with clauses (i) through (v) of
14 subparagraph (A).”;

15 (D) in subparagraph (C), as so redesign-
16 nated, by striking “prescribed under section
17 338C of the Public Health Service Act (42
18 U.S.C. 254m) by service in a program specified
19 in subparagraph (A)” and inserting “described
20 in subparagraph (A) by service in a program
21 specified in that subparagraph”; and

22 (E) in subparagraph (D), as so redesign-
23 nated—

1 (i) by striking “Subject to subpara-
2 graph (B),” and inserting “Subject to sub-
3 paragraph (C),”; and

4 (ii) by striking “prescribed under sec-
5 tion 338C of the Public Health Service Act
6 (42 U.S.C. 254m)” and inserting “de-
7 scribed in subparagraph (A)”;

8 (2) in paragraph (4)—

9 (A) in subparagraph (B), by striking the
10 matter preceding clause (i) and inserting the
11 following:

12 “(B) the period of obligated service described in
13 paragraph (3)(A) shall be equal to the greater of—
14 ”; and

15 (B) in subparagraph (C), by striking “(42
16 U.S.C. 254m(g)(1)(B))” and inserting “(42
17 U.S.C. 254l(g)(1)(B))”; and

18 (3) in paragraph (5), by adding at the end the
19 following new subparagraphs:

20 “(C) Upon the death of an individual who receives
21 an Indian Health Scholarship, any obligation of that indi-
22 vidual for service or payment that relates to that scholar-
23 ship shall be canceled.

24 “(D) The Secretary shall provide for the partial or
25 total waiver or suspension of any obligation of service or

1 payment of a recipient of an Indian Health Scholarship
2 if the Secretary determines that—

3 “(i) it is not possible for the recipient to meet
4 that obligation or make that payment;

5 “(ii) requiring that recipient to meet that obli-
6 gation or make that payment would result in ex-
7 treme hardship to the recipient; or

8 “(iii) the enforcement of the requirement to
9 meet the obligation or make the payment would be
10 unconscionable.

11 “(E) Notwithstanding any other provision of law, in
12 any case of extreme hardship or for other good cause
13 shown, the Secretary may waive, in whole or in part, the
14 right of the United States to recover funds made available
15 under this section.

16 “(F) Notwithstanding any other provision of law,
17 with respect to a recipient of an Indian Health Scholar-
18 ship, no obligation for payment may be released by a dis-
19 charge in bankruptcy under title 11, United States Code,
20 unless that discharge is granted after the expiration of the
21 5-year period beginning on the initial date on which that
22 payment is due, and only if the bankruptcy court finds
23 that the nondischarge of the obligation would be uncon-
24 scionable.”.

1 (c) CALIFORNIA CONTRACT HEALTH SERVICES DEM-
2 ONSTRATION PROGRAM.—Section 211(g) (25 U.S.C.
3 1621j(g)) is amended by striking “1993, 1994, 1995,
4 1996, and 1997” and inserting “1996 through 2000”.

5 (d) EXTENSION OF CERTAIN DEMONSTRATION PRO-
6 GRAM.—Section 405(c)(2) (25 U.S.C. 1645(c)(2)) is
7 amended by striking “September 30, 1996” and inserting
8 “September 30, 1998”.

9 (e) GALLUP ALCOHOL AND SUBSTANCE ABUSE
10 TREATMENT CENTER.—Section 706(d) (25 U.S.C.
11 1665e(d)) is amended to read as follows:

12 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated, for each of fiscal years
14 1996 through 2000, such sums as may be necessary to
15 carry out subsection (b).”.

16 (f) SUBSTANCE ABUSE COUNSELOR EDUCATION
17 DEMONSTRATION PROGRAM.—Section 711(h) (25 U.S.C.
18 1665j(h)) is amended by striking “1993, 1994, 1995,
19 1996, and 1997” and inserting “1996 through 2000”.

20 (g) HOME AND COMMUNITY-BASED CARE DEM-
21 ONSTRATION PROGRAM.—Section 821(i) (25 U.S.C.
22 1680k(i)) is amended by striking “1993, 1994, 1995,
23 1996, and 1997” and inserting “1996 through 2000”.

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