

## **H. Res. 544**

### ***In the House of Representatives, U.S.,***

*September 27, 1996.*

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 is 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:

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

12       (a) **SHORT TITLE.**—This Act may be cited as the  
13 “Indian Health Care Improvement Technical Corrections  
14 Act of 1996”.

15       (b) **REFERENCES.**—Whenever in this Act an amend-  
16 ment or repeal is expressed in terms of an amendment  
17 to or repeal of a section or other provision, the reference

1 shall be considered to be made to a section or other provi-  
2 sion of the Indian Health Care Improvement Act.

3 **SEC. 2. TECHNICAL CORRECTIONS IN THE INDIAN HEALTH**  
4 **CARE IMPROVEMENT ACT.**

5 (a) DEFINITION OF HEALTH PROFESSION.—Section  
6 4(n) (25 U.S.C. 1603(n)) is amended—

7 (1) by inserting “allopathic medicine,” before  
8 “family medicine”; and

9 (2) by striking “and allied health professions”  
10 and inserting “an allied health profession, or any  
11 other health profession”.

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

15 (1) in paragraph (3)—

16 (A) in subparagraph (A)—

17 (i) by striking the matter preceding  
18 clause (i) and inserting the following:

19 “(3)(A) The active duty service obligation under a  
20 written contract with the Secretary under section 338A  
21 of the Public Health Service Act (42 U.S.C. 2541) that  
22 an individual has entered into under that section shall,  
23 if that individual is a recipient of an Indian Health Schol-  
24 arship, be met in full-time practice, by service—”;

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

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

5 (B) by redesignating subparagraphs (B)  
6 and (C) as subparagraphs (C) and (D), respec-  
7 tively;

8 (C) by inserting after subparagraph (A)  
9 the following new subparagraph:

10 “(B) At the request of any individual who has entered  
11 into a contract referred to in subparagraph (A) and who  
12 receives a degree in medicine (including osteopathic or  
13 allopathic medicine), dentistry, optometry, podiatry, or  
14 pharmacy, the Secretary shall defer the active duty service  
15 obligation of that individual under that contract, in order  
16 that such individual may complete any internship, resi-  
17 dency, or other advanced clinical training that is required  
18 for the practice of that health profession, for an appro-  
19 priate period (in years, as determined by the Secretary),  
20 subject to the following conditions:

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

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

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

9           (D) in subparagraph (C), as so redesign-  
10 nated, by striking “prescribed under section  
11 338C of the Public Health Service Act (42  
12 U.S.C. 254m) by service in a program specified  
13 in subparagraph (A)” and inserting “described  
14 in subparagraph (A) by service in a program  
15 specified in that subparagraph”; and

16           (E) in subparagraph (D), as so redesign-  
17 nated—

18           (i) by striking “Subject to subpara-  
19 graph (B),” and inserting “Subject to sub-  
20 paragraph (C),”; and

21           (ii) by striking “prescribed under sec-  
22 tion 338C of the Public Health Service Act  
23 (42 U.S.C. 254m)” and inserting “de-  
24 scribed in subparagraph (A)”;

25           (2) in paragraph (4)—

1 (A) in subparagraph (B), by striking the  
2 matter preceding clause (i) and inserting the  
3 following:

4 “(B) the period of obligated service described in  
5 paragraph (3)(A) shall be equal to the greater of—  
6 ”; and

7 (B) in subparagraph (C), by striking “(42  
8 U.S.C. 254m(g)(1)(B))” and inserting “(42  
9 U.S.C. 254l(g)(1)(B))”; and

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

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

16 “(D) The Secretary shall provide for the partial or  
17 total waiver or suspension of any obligation of service or  
18 payment of a recipient of an Indian Health Scholarship  
19 if the Secretary determines that—

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

22 “(ii) requiring that recipient to meet that obli-  
23 gation or make that payment would result in ex-  
24 treme hardship to the recipient; or

1           “(iii) the enforcement of the requirement to  
2           meet the obligation or make the payment would be  
3           unconscionable.

4           “(E) Notwithstanding any other provision of law, in  
5           any case of extreme hardship or for other good cause  
6           shown, the Secretary may waive, in whole or in part, the  
7           right of the United States to recover funds made available  
8           under this section.

9           “(F) Notwithstanding any other provision of law,  
10          with respect to a recipient of an Indian Health Scholar-  
11          ship, no obligation for payment may be released by a dis-  
12          charge in bankruptcy under title 11, United States Code,  
13          unless that discharge is granted after the expiration of the  
14          5-year period beginning on the initial date on which that  
15          payment is due, and only if the bankruptcy court finds  
16          that the nondischarge of the obligation would be uncon-  
17          scionable.”.

18          (c) CALIFORNIA CONTRACT HEALTH SERVICES DEM-  
19          ONSTRATION PROGRAM.—Section 211(g) (25 U.S.C.  
20          1621j(g)) is amended by striking “1993, 1994, 1995,  
21          1996, and 1997” and inserting “1996 through 2000”.

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

1 (e) GALLUP ALCOHOL AND SUBSTANCE ABUSE  
2 TREATMENT CENTER.—Section 706(d) (25 U.S.C.  
3 1665e(d)) is amended to read as follows:

4 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated, for each of fiscal years  
6 1996 through 2000, such sums as may be necessary to  
7 carry out subsection (b).”.

8 (f) SUBSTANCE ABUSE COUNSELOR EDUCATION  
9 DEMONSTRATION PROGRAM.—Section 711(h) (25 U.S.C.  
10 1665j(h)) is amended by striking “1993, 1994, 1995,  
11 1996, and 1997” and inserting “1996 through 2000”.

12 (g) HOME AND COMMUNITY-BASED CARE DEM-  
13 ONSTRATION PROGRAM.—Section 821(i) (25 U.S.C.  
14 1680k(i)) is amended by striking “1993, 1994, 1995,  
15 1996, and 1997” and inserting “1996 through 2000”.

Attest:

*Clerk.*