

Calendar No. 121

104TH CONGRESS
1ST SESSION

S. 555

[Report No. 104-93]

A BILL

To amend the Public Health Service Act to consolidate and reauthorize health professions and minority and disadvantaged health education programs, and for other purposes.

JUNE 6 (legislative day, JUNE 5), 1995

Reported with an amendment

Calendar No. 121104TH CONGRESS
1ST SESSION**S. 555****[Report No. 104-93]**

To amend the Public Health Service Act to consolidate and reauthorize health professions and minority and disadvantaged health education programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 14 (legislative day, MARCH 6), 1995

Mrs. KASSEBAUM (for herself, Mr. KENNEDY, and Mr. FRIST) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

JUNE 6 (legislative day, JUNE 5), 1995

Reported by Mrs. KASSEBAUM, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Public Health Service Act to consolidate and reauthorize health professions and minority and disadvantaged health education 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,*

1 **SECTION 1. SHORT TITLE.**

2 (a) ~~SHORT TITLE.~~—This Act may be cited as the
 3 “Health Professions Education Consolidation and Reau-
 4 thorization Act of 1995”.

5 (b) ~~TABLE OF CONTENTS.~~—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title.

~~TITLE I—HEALTH PROFESSIONS EDUCATION AND FINANCIAL
 ASSISTANCE PROGRAMS~~

~~Subtitle A—Health Professions Education Programs~~

~~Sec. 101. Minority health professions grant program.
 Sec. 102. Training in primary health care and preventive medicine.
 Sec. 103. Enhanced health education and training.
 Sec. 104. Health profession workforce development.
 Sec. 105. General provisions.
 Sec. 106. Preference and required information in certain programs.
 Sec. 107. Definitions.
 Sec. 108. Savings provision.~~

~~Subtitle B—Nursing Education~~

~~Sec. 121. Short title.
 Sec. 122. Purpose.
 Sec. 123. Amendments to Public Health Service Act.
 Sec. 124. Savings provision.
 Sec. 125. Preference and required information in certain programs.~~

~~Subtitle C—Financial Assistance~~

~~PART 1—NATIONAL HEALTH SERVICE CORPS FINANCIAL ASSISTANCE
 PROGRAMS~~

~~Sec. 131. General amendments with respect to federally supported loans.
 Sec. 132. Restructuring and technical amendments.
 Sec. 133. Definition of underserved areas.
 Sec. 134. Conforming amendments.~~

~~PART 2—SCHOOL-BASED REVOLVING LOAN FUNDS~~

~~Sec. 135. Primary care loan program.
 Sec. 136. Loans for disadvantaged students.
 Sec. 137. Student loans regarding schools of nursing.~~

~~PART 3—INSURED HEALTH EDUCATION ASSISTANCE LOANS TO GRADUATE
 STUDENTS~~

~~Sec. 141. Health education assistance loan program.~~

PART 4—SCHOLARSHIPS FOR DISADVANTAGED STUDENTS

Sec. 151. Scholarships for disadvantaged students.

TITLE II—OFFICE OF MINORITY HEALTH

Sec. 201. Revision and extension of programs of Office of Minority Health.

TITLE III—SELECTED INITIATIVES

- Sec. 301. Programs regarding birth defects.
- Sec. 302. Traumatic brain injury.
- Sec. 303. State offices of rural health.
- Sec. 304. Health services for Pacific Islanders.
- Sec. 305. Demonstration projects regarding Alzheimer's Disease.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Technical corrections regarding Public Law 103-183.
- Sec. 402. Certain authorities of Centers for Disease Control and Prevention.
- Sec. 403. Administration of certain requirements.
- Sec. 404. Technical corrections relating to health professions programs.
- Sec. 405. Clinical traineeships.
- Sec. 406. Construction of regional centers for research on primates.

1 **TITLE I—HEALTH PROFESSIONS**
 2 **EDUCATION AND FINANCIAL**
 3 **ASSISTANCE PROGRAMS**
 4 **Subtitle A—Health Professions**
 5 **Education Programs**

6 **SEC. 101. MINORITY HEALTH PROFESSIONS GRANT PRO-**
 7 **GRAM.**

8 (a) IN GENERAL.—Part B of title VII of the Public
 9 Health Service Act (42 U.S.C. 293 et seq.) is amended
 10 to read as follows:

11 “PART B—DISADVANTAGED HEALTH PROFESSIONS
 12 TRAINING

13 **“§ 736. Statement of purpose**

14 “(a) IN GENERAL.—The Secretary shall make grants
 15 to or enter into contracts with eligible entities for the pur-

1 pose of establishing, enhancing, and expanding programs
2 to increase the number and the quality of disadvantaged
3 health professionals, particularly those who provide health
4 services to disadvantaged populations or in medically un-
5 derserved areas or rural areas.

6 “(b) USE OF FUNDS.—Amounts provided under a
7 grant or contract awarded under this part may be used
8 for costs of planning, developing, or operating centers of
9 excellence in minority health professions education, pro-
10 grams for assisting individuals from disadvantaged back-
11 grounds to enter a health profession, minority faculty de-
12 velopment, minority faculty loan repayment or fellowships,
13 trainee support, technical assistance, workforce analysis,
14 and dissemination of information.

15 “(c) CONSORTIUM.—Schools within a consortium
16 that applies for a grant or contract under this part shall
17 enter into an agreement to allocate the funds received
18 under the grant or contract among such schools and ex-
19 pend such funds in accordance with the application for
20 such grant or contract.

21 **“§ 737. Preferences**

22 ““In awarding grants or contracts to eligible entities
23 under this part, the Secretary shall give preference to—

24 “(1) projects that involve more than one health
25 professions discipline or training institution and

1 have an above average record of retention and grad-
2 uation of individuals from disadvantaged back-
3 grounds; and

4 “(2) centers of excellence at Historically Black
5 Colleges and Universities (as defined in section 739)
6 beginning in fiscal year 1999 and for each fiscal
7 year thereafter.

8 **“§ 738. Authorization of appropriation**

9 “(a) IN GENERAL.—There are authorized to be ap-
10 propriated to carry out this part, \$51,000,000 for fiscal
11 year 1996, and such sums as may be necessary for each
12 of the fiscal years 1997 through 1999.

13 “(b) SET-ASIDE.—With respect to each of the fiscal
14 years 1996, 1997, and 1998, the Secretary shall set-aside
15 23.5 percent of the amount appropriated under subsection
16 (a) in each such fiscal year for the purpose of making
17 grants under section 736 to centers of excellence at certain
18 Historically Black Colleges and Universities.

19 **“§ 739. Definitions**

20 “As used in this part:

21 “(1) CENTERS OF EXCELLENCE.—The term
22 ‘centers of excellence’ means a health professions
23 school that—

24 “(A)(i) has a significant number of minor-
25 ity individuals enrolled in the school, including

1 individuals accepted for enrollment in the
2 school;

3 “(ii) has been effective in assisting minor-
4 ity students of the school to complete the pro-
5 gram of education and receive the degree in-
6 volved;

7 “(iii) has been effective in recruiting mi-
8 nority individuals to attend the school and en-
9 couraging minority students of secondary edu-
10 cational institutions to attend the health profes-
11 sions school; and

12 “(iv) has made significant recruitment ef-
13 forts to increase the number of minority indi-
14 viduals serving in faculty or administrative posi-
15 tions at the school; or

16 “(B) is a center of excellence at certain
17 Historically Black Colleges and Universities.

18 “(2) CONSORTIUM.—The term ‘consortium’
19 means the designated eligible entity seeking a grant
20 under this part and one or more schools of medicine,
21 osteopathic medicine, dentistry, pharmacy, nursing,
22 allied health, public health, or graduate programs in
23 mental health practice.

24 “(3) ELIGIBLE ENTITIES.—The term ‘eligible
25 entities’ means schools of medicine, osteopathic med-

1 icine, dentistry, pharmacy, podiatric medicine, op-
 2 tometry, veterinary medicine, public health, or allied
 3 health or schools offering graduate programs in
 4 mental health practice, State or local governments,
 5 and other public or nonprofit private entities deter-
 6 mined appropriate by the Secretary that submit to
 7 the Secretary an application.

8 “(4) HISTORICALLY BLACK COLLEGES AND
 9 UNIVERSITIES.—The term ‘Historically Black Col-
 10 leges and Universities’ means a school described in
 11 section 799(1) that has received a contract under
 12 section 788B for fiscal year 1987, as such section
 13 was in effect for such fiscal year.”.

14 (b) REPEAL.—

15 (1) IN GENERAL.—Section 795 of the Public
 16 Health Service Act (42 U.S.C. 295n) is repealed.

17 (2) NONTERMINATION OF AUTHORITY.—The
 18 amendments made by this section shall not be con-
 19 strued to terminate agreements that, on the day be-
 20 fore the date of enactment of this Act, are in effect
 21 pursuant to section 795 of the Public Health Service
 22 Act (42 U.S.C. 795) as such section existed on such
 23 date. Such agreements shall continue in effect in ac-
 24 cordance with the terms of the agreements. With re-
 25 spect to compliance with such agreements, any pe-

1 riod of practice as a provider of primary health serv-
 2 ices shall be counted towards the satisfaction of the
 3 requirement of practice pursuant to such section
 4 795.

5 (c) CONFORMING AMENDMENTS.—Section
 6 481A(c)(3)(D)(i) of the Public Health Service Act (42
 7 U.S.C. 287a-2(c)(3)(D)(i)) is amended by striking “sec-
 8 tion 739” and inserting “part B of title VII”.

9 **SEC. 102. TRAINING IN PRIMARY HEALTH CARE AND PRE-**
 10 **VENTIVE MEDICINE.**

11 Part C of title VII of the Public Health Service Act
 12 is amended—

13 (1) in the part heading by striking “CARE” and
 14 inserting “CARE AND PREVENTIVE MEDICINE”;

15 (2) by repealing section 746 and sections 748
 16 through 752 (42 U.S.C. 293j and 293l through
 17 293p); and

18 (3) in section 747 (42 U.S.C. 293k)—

19 (A) by striking the section heading and in-
 20 serting the following:

21 **“§ 747. Family medicine, general internal medicine,**
 22 **general pediatrics, preventive medicine,**
 23 **and physician assistants”;**

24 (B) in subsection (a)—

25 (i) in paragraph (1)—

1 (I) by inserting “, internal medi-
2 cine, or pediatrics” after “family med-
3 icine”; and

4 (II) by inserting before the semi-
5 colon the following: “that emphasizes
6 training for the practice of family
7 medicine, general internal medicine,
8 or general pediatrics (as defined in
9 regulations promulgated by the Sec-
10 retary)”;

11 (ii) in paragraph (2), by inserting “,
12 general internal medicine, or pediatrics”
13 before the semicolon;

14 (iii) in paragraphs (3) and (4), by in-
15 sserting “, general internal medicine (in-
16 cluding geriatrics), or general pediatrics”
17 after “family medicine”;

18 (iv) in paragraphs (3) and (4), by in-
19 sserting “(including geriatrics) after “fam-
20 ily medicine”;

21 (v) in paragraph (3), by striking
22 “and” at the end thereof;

23 (vi) in paragraph (4), by striking the
24 period and inserting a semicolon; and

1 (vii) by adding at the end thereof the
2 following new paragraphs:

3 ~~“(5) to meet the costs of projects to plan, de-~~
4 ~~velop, and operate or maintain programs for the~~
5 ~~training of physician assistants (as defined in sec-~~
6 ~~tion 799), and for the training of individuals who~~
7 ~~will teach programs to provide such training; and~~

8 ~~“(6) to meet the costs of projects—~~

9 ~~“(A) to plan and develop new residency~~
10 ~~training programs and to maintain or improve~~
11 ~~existing residency training programs in preven-~~
12 ~~tive medicine, that have available full-time fac-~~
13 ~~ulty members with training and experience in~~
14 ~~the fields of preventive medicine; and~~

15 ~~“(B) to provide financial assistance to resi-~~
16 ~~dency trainees enrolled in such programs.”;~~

17 ~~(C) in paragraphs (1) and (2)(A) of sub-~~
18 ~~section (b), by inserting “, general internal~~
19 ~~medicine, or general pediatrics” after “family~~
20 ~~medicine”;~~

21 ~~(D) by redesignating subsections (c) and~~
22 ~~(d) as subsections (d) and (e), respectively;~~

23 ~~(E) by inserting after subsection (b), the~~
24 ~~following new subsection:~~

25 ~~“(c) PRIORITY AND LIMITATION.—~~

1 “(1) PRIORITY.—With respect to programs for
2 the training of interns or residents, the Secretary
3 shall give priority in awarding grants under this sec-
4 tion to qualified applicants that have a record of
5 training the greatest percentage of providers, or that
6 have demonstrated significant improvements in the
7 percentage of providers, which enter and remain in
8 primary care practice upon completion of their first
9 period of training required to obtain initial board
10 certification. Each program shall designate the pri-
11 mary care training positions that such program shall
12 provide with grant funding to support and for which
13 such program shall be held accountable regarding
14 the primary care requirement set forth in this sec-
15 tion.

16 “(2) LIMITATION.—With respect to programs
17 for the training and education of medical students,
18 the Secretary may only provide grants or contracts
19 under this section to administrative units in general
20 pediatrics or general internal medicine if a qualified
21 administrative unit applicant demonstrates that its
22 medical school has—

23 “(A) a mission statement that has a pri-
24 mary care medical education objective;

1 ~~“(B) faculty role models and administra-~~
 2 ~~tive units in primary care; and~~

3 ~~“(C) required undergraduate ambulatory~~
 4 ~~medical student clerkships in family medicine,~~
 5 ~~internal medicine, and pediatrics.~~

6 Where a medical school does not have an adminis-
 7 trative unit in family medicine clerkships in family
 8 medicine shall not be required.”; and

9 ~~(F) in subsection (e) (as so redesi-~~
 10 ~~gnated)—~~

11 ~~(i) in paragraph (1), by striking~~
 12 ~~“\$54,000,000” and all that follows and in-~~
 13 ~~serting “\$76,000,000 for fiscal year 1996,~~
 14 ~~and such sums as may be necessary for~~
 15 ~~each of the fiscal years 1997 and 1999.”;~~
 16 ~~and~~

17 ~~(ii) in paragraph (2)—~~

18 ~~(I) by striking “20” and insert-~~
 19 ~~ing “12”;~~ and

20 ~~(II) by inserting “for family med-~~
 21 ~~icine academic administrative units”~~
 22 ~~after “under subsection (b)”.~~

23 **SEC. 103. ENHANCED HEALTH EDUCATION AND TRAINING.**

24 Part D of title VII of the Public Health Service Act
 25 (42 U.S.C. 294 et seq.) is amended to read as follows:

1 ~~“PART D—AREA HEALTH EDUCATION CENTERS~~

2 ~~“§ 750. Area health education centers~~

3 ~~“(a) IN GENERAL.—The Secretary may award grants~~
4 ~~to and enter into contracts with eligible entities for~~
5 ~~projects which—~~

6 ~~“(1) improve the recruitment, distribution, sup-~~
7 ~~ply, quality, utilization, and efficiency of personnel~~
8 ~~providing health services in urban and rural areas~~
9 ~~and populations that have demonstrated serious~~
10 ~~unmet health care need;~~

11 ~~“(2) encourage the regionalization of edu-~~
12 ~~cational responsibilities of the health professions~~
13 ~~schools;~~

14 ~~“(3) are designed to prepare, through field~~
15 ~~placements, preceptorships, the conduct or affiliation~~
16 ~~with community-based primary care residency pro-~~
17 ~~grams, agreements with community-based organiza-~~
18 ~~tions for the delivery of education and training in~~
19 ~~the health professions, and other programs, individ-~~
20 ~~uals to effectively provide health services in health~~
21 ~~professional shortage areas;~~

22 ~~“(4) conduct health professions education and~~
23 ~~training activities consistent with national and State~~
24 ~~priorities, including geriatrics;~~

1 ~~“(5) encourage health promotion and disease~~
2 ~~prevention activities;~~

3 ~~“(6) conduct interdisciplinary training and~~
4 ~~practice involving other health professionals;~~

5 ~~“(7) conduct continuing education programs for~~
6 ~~health professionals or coordinates with such pro-~~
7 ~~grams; and~~

8 ~~“(8) address other areas as determined appro-~~
9 ~~priate by the Secretary.~~

10 ~~“(b) PREFERENCES.—In awarding grants or con-~~
11 ~~tracts to eligible entities under this part, the Secretary~~
12 ~~shall give preference to projects that—~~

13 ~~“(1) involve more than one health professions~~
14 ~~discipline or training institution;~~

15 ~~“(2) have a good record of retention and grad-~~
16 ~~uation of individuals that enter practice in medically~~
17 ~~underserved communities; and~~

18 ~~“(3) have a higher percentage of medical stu-~~
19 ~~dents or residents that enter primary care practice.~~

20 ~~“(c) OTHER ELIGIBLE PROGRAMS.—The Secretary~~
21 ~~may award grants or contracts under this section for the~~
22 ~~establishment of geriatric education centers. In making a~~
23 ~~determination to fund such centers the Secretary shall~~
24 ~~consider the impact the programs under section 747, this~~

1 part, and title VIII have made in the production of person-
2 nel to care for geriatric populations.

3 “(d) ELIGIBLE ENTITIES.—As used in this part, the
4 term ‘eligible entities’ means schools of medicine, osteo-
5 pathic medicine, dentistry, pharmacy, podiatric medicine,
6 optometry, veterinary medicine, public health, or allied
7 health or schools offering graduate programs in mental
8 health practice, State or local governments, and other pub-
9 lic or nonprofit private entities determined appropriate by
10 the Secretary that submit to the Secretary an application.

11 “(e) GERIATRIC EDUCATION CENTERS.—A geriatric
12 education center shall be an accredited health professions
13 school or program that—

14 “(1) improves the training of health profes-
15 sionals in geriatrics, including geriatric residencies,
16 traineeships, or fellowships;

17 “(2) develops and disseminates curricula relat-
18 ing to the treatment of the health problems of elder-
19 ly individuals;

20 “(3) supports the training and retraining of
21 faculty to provide instruction in geriatrics;

22 “(4) supports continuing education of health
23 professionals who provide geriatric care; and

24 “(5) provides students with clinical training in
25 geriatrics in nursing homes, chronic and acute dis-

1 ease hospitals, ambulatory care centers, and senior
2 centers.

3 **“§ 751. Authorization of appropriations**

4 “There are authorized to be appropriated to carry out
5 this part, \$39,000,000 for fiscal year 1996, such sums as
6 may be necessary for each of the fiscal years 1997 and
7 1998, and \$25,000,000 for fiscal year 1999.”.

8 **SEC. 104. HEALTH PROFESSION WORKFORCE DEVELOP-**
9 **MENT.**

10 (a) ~~IN GENERAL.~~—Part E of title VII of the Public
11 Health Service Act (42 U.S.C. 294n et seq.) is amended—

12 (1) in the part heading to read as follows:

13 “~~PART E—HEALTH PROFESSION WORKFORCE~~
14 ~~DEVELOPMENT~~”;

15 (2) by redesignating section 776 (42 U.S.C.
16 294n) as section 761; and

17 (3) by striking sections 777 and 778 (42 U.S.C.
18 294o and 294p) and inserting the following new sec-
19 tion:

20 **“§ 762. Health profession workforce development**

21 “(a) ~~IN GENERAL.~~—The Secretary may award grants
22 to and enter into contracts with eligible entities for
23 projects to strengthen capacity for health professions edu-
24 cation and practice.

1 “(b) ELIGIBLE APPLICANTS.—Applicants eligible to
2 obtain funds under subsection (a) shall include schools of
3 medicine, osteopathic medicine, dentistry, veterinary medi-
4 cine, pharmacy, podiatric medicine, chiropractic medicine,
5 optometry, public health, or allied health, graduate pro-
6 grams in mental health practice, physician assistant train-
7 ing programs, and other public and nonprofit private enti-
8 ties.

9 “(c) PRIORITY AREAS.—In awarding grants or con-
10 tracts under subsection (a), the Secretary shall give prior-
11 ity to entities that will use amounts provided under such
12 grants or contracts to enhance the education of health pro-
13 fessionals for purposes of—

14 “(1) providing care for underserved populations
15 and other high-risk groups;

16 “(2) increasing the number of individuals who
17 are pursuing a course of study in a health profes-
18 sions field in which there is a severe shortage of
19 health professionals;

20 “(3) conducting health professions research and
21 data collection; and

22 “(4) carrying out other activities in areas deter-
23 mined appropriate by the Secretary.

24 “(d) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) ~~IN GENERAL.~~—There are authorized to be
2 appropriated to carry out this section, \$20,000,000
3 for fiscal year 1996, such sums as may be necessary
4 for each of the fiscal years 1997 and 1998, and
5 \$5,000,000 for fiscal year 1999.

6 “(2) ~~RESERVATION.~~—Of the amounts appro-
7 priated under subsection (a) for a fiscal year, the
8 Secretary may reserve not more than \$2,000,000 for
9 conducting health professions research and data col-
10 lection in accordance with section 792.”.

11 (b) ~~HEALTH PROFESSIONS DATA.~~—The second sen-
12 tence of section 792(a) of the Public Health Service Act
13 (42 U.S.C. 295k(a)) is amended by striking “is authorized
14 to” and inserting “shall”.

15 (c) ~~COUNCIL ON GRADUATE MEDICAL EDUCATION.~~—
16 Section 301 of the Health Professions Education Exten-
17 sion Amendments of 1992 (Public Law 102-408) is
18 amended—

19 (1) in subsection (j), by striking “1995” and
20 inserting “1999”;

21 (2) in subsection (k), by striking “1995” and
22 inserting “1999”;

23 (3) by adding at the end thereof the following
24 new subsection:

1 “(1) FUNDING.—Amounts otherwise appropriated
2 under this title may be utilized by the Secretary to support
3 the medical education activities of the Council.”;

4 (4) by transferring such section to part E of
5 title VII of the Public Health Service Act (as
6 amended by subsection (a));

7 (5) by redesignating such section as section
8 763; and

9 (6) by inserting such section after section 762.

10 **SEC. 105. GENERAL PROVISIONS.**

11 (a) IN GENERAL.—

12 (1) Part F of title VII of the Public Health
13 Service Act (42 U.S.C. 295 et seq.) is repealed.

14 (2) Part G of title VII of the Public Health
15 Service Act (42 U.S.C. 295j et seq.) is amended—

16 (A) by redesignating such part as part F;

17 (B) in section 791 (42 U.S.C. 295j) by
18 striking subsection (b);

19 (C) by repealing section 793 (42 U.S.C.
20 295l);

21 (D) by repealing section 798;

22 (E) by redesignating section 799 as section
23 799B; and

24 (F) by inserting after section 794, the fol-
25 lowing new sections:

1 **“§ 796. 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 health workforce 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 puate, that the project to be funded under the grant or
2 contract will establish.

3 **“§ 797. 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 health workforce objec-
12 tives, in accordance 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 **“§ 798. 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. As determined by the Secretary, such

1 non-Federal matching funds may be provided directly or
2 through donations from public or private entities and may
3 be in cash or in-kind, fairly evaluated, including plant,
4 equipment, or services.

5 **“§ 799. Generally applicable provisions**

6 “(a) AWARDING OF GRANTS AND CONTRACTS.—The
7 Secretary shall ensure that grants and contracts under
8 this title are awarded on a competitive basis, as appro-
9 priate, to carry out innovative demonstration projects or
10 provide for strategic workforce supplementation activities
11 as needed to meet health workforce goals and in accord-
12 ance with this title.

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

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

19 “(d) DURATION OF ASSISTANCE.—

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 in the case of an award to an entity of a grant, co-
22 operative agreement, or contract under this title, the
23 period during which payments are made to the en-
24 tity under the award may not exceed 5 years. The
25 provision of payments under the award shall be sub-

1 ject to annual approval by the Secretary of the pay-
2 ments and subject to the availability of appropria-
3 tions for the fiscal year involved to make the pay-
4 ments. This paragraph may not be construed as lim-
5 iting the number of awards under the program in-
6 volved that may be made to the entity.

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

13 “(e) PEER REVIEW REGARDING CERTAIN PRO-
14 GRAMS.—Each application for a grant under this title, ex-
15 cept any scholarship or loan program, including those
16 under sections 701, 721, or 723, shall be submitted to a
17 peer review group for an evaluation of the merits of the
18 proposals made in the application. The Secretary may not
19 approve such an application unless a peer review group
20 has recommended the application for approval. Each peer
21 review group under this subsection shall be composed prin-
22 cipally of individuals who are not officers or employees of
23 the Federal Government. This subsection shall be carried
24 out by the Secretary acting through the Administrator of
25 the Health Resources and Services Administration.

1 in paragraph (3) shall qualify for a funding pref-
2 erence under this section.

3 “(2) DEFINITION.—As used in this subsection,
4 the term ‘new program’ means any program that
5 has graduated less than three classes. Upon grad-
6 uating at least three classes, a program shall have
7 the capability to provide the information necessary
8 to qualify the program for the general funding pref-
9 erences described in subsection (a).

10 “(3) CRITERIA.—The criteria referred to in
11 paragraph (1) are the following:

12 “(A) The mission statement of the pro-
13 gram identifies a specific purpose of the pro-
14 gram as being the preparation of health profes-
15 sionals to serve underserved populations.

16 “(B) The curriculum of the program in-
17 cludes content which will help to prepare practi-
18 tioners to serve underserved populations.

19 “(C) Substantial clinical training experi-
20 ence is required under the program in medically
21 underserved communities.

22 “(D) A minimum of 20 percent of the clin-
23 ical faculty of the program spend at least 50
24 percent of their time providing or supervising
25 care in medically underserved communities.

1 ~~“(E) The entire program or a substantial~~
2 ~~portion of the program is physically located in~~
3 ~~a medically underserved community.~~

4 ~~“(F) Student assistance, which is linked to~~
5 ~~service in medically underserved communities~~
6 ~~following graduation, is available to the stu-~~
7 ~~dents in the program.~~

8 ~~“(G) The program provides a placement~~
9 ~~mechanism for deploying graduates to medically~~
10 ~~underserved communities.”.~~

11 ~~(b) CONFORMING AMENDMENTS.—Section 791(a) of~~
12 ~~the Public Health Service Act (42 U.S.C. 295j(a)) is~~
13 ~~amended—~~

14 ~~(1) in paragraph (1), by striking “sections 747”~~
15 ~~and all that follows through “767” and inserting~~
16 ~~“section 747”; and~~

17 ~~(2) in paragraph (2), by striking “under section~~
18 ~~798(a)”.~~

19 ~~**SEC. 107. DEFINITIONS.**~~

20 ~~Section 799B(6) of the Public Health Service Act (42~~
21 ~~U.S.C. 295p(6)) (as so redesignated by section~~
22 ~~105(a)(2)(E)) is amended—~~

23 ~~(1) in subparagraph (B), by striking “or” at~~
24 ~~the end thereof;~~

1 (2) in subparagraph (C), by striking the period
2 and inserting “; or”; and

3 (3) by adding at the end the following new sub-
4 paragraph:

5 “(D) is a State or local health department
6 that has a severe shortage of public health per-
7 sonnel as determined under criteria established
8 by the Secretary.”.

9 **SEC. 108. SAVINGS PROVISION.**

10 In the case of any authority for making awards of
11 grants or contracts that is terminated by the amendments
12 made by this subtitle, the Secretary of Health and Human
13 Services may, notwithstanding the termination of the au-
14 thority, continue in effect any grant or contract made
15 under the authority that is in effect on the day before the
16 date of the enactment of this Act, subject to the duration
17 of any such grant or contract not exceeding the period
18 determined by the Secretary in first approving such finan-
19 cial assistance, or in approving the most recent request
20 made (before the date of such enactment) for continuation
21 of such assistance, as the case may be.

22 **Subtitle B—Nursing Education**

23 **SEC. 121. SHORT TITLE.**

24 This title may be cited as the “Nursing Education
25 Consolidation and Reauthorization Act of 1995”.

1 **SEC. 122. PURPOSE.**

2 It is the purpose of this title 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. 123. 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 sections 855 and 860; and inserting the following:

13 “TITLE VIII—NURSING WORKFORCE
14 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) by inserting after the title heading the fol-
22 lowing new parts:

23 “PART A—GENERAL PROVISIONS

24 **“§ 801. Definitions**

25 “As used in this title:

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

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

10 “(3) COLLEGIATE SCHOOL OF NURSING.—The
11 term ‘collegiate school of nursing’ means a depart-
12 ment, division, or other administrative unit in a col-
13 lege or university which provides primarily or exclu-
14 sively a program of education in professional nursing
15 and related subjects leading to the degree of bach-
16 elor of arts, bachelor of science, bachelor of nursing,
17 or to an equivalent degree, or to a graduate degree
18 in nursing, and including advanced training related
19 to such program of education provided by such
20 school, but only if such program, or such unit, col-
21 lege or university is accredited.

22 “(4) ASSOCIATE DEGREE SCHOOL OF NURS-
23 ING.—The term ‘associate degree school of nursing’
24 means a department, division, or other administra-
25 tive unit in a junior college, community college, col-

1 lege, or university which provides primarily or exclu-
2 sively a two-year program of education in profes-
3 sional nursing and allied subjects leading to an asso-
4 ciate degree in nursing or to an equivalent degree,
5 but only if such program, or such unit, college, or
6 university is accredited.

7 “(5) DIPLOMA SCHOOL OF NURSING.—The
8 term ‘diploma school of nursing’ means a school af-
9 filiated with a hospital or university, or an independ-
10 ent school, which provides primarily or exclusively a
11 program of education in professional nursing and al-
12 lied subjects leading to a diploma or to equivalent
13 indicia that such program has been satisfactorily
14 completed, but only if such program, or such affili-
15 ated school or such hospital or university or such
16 independent school is accredited.

17 “(6) ACCREDITED.—

18 “(A) IN GENERAL.—Except as provided in
19 subparagraph (B), the term ‘accredited’ when
20 applied to any program of nurse education
21 means a program accredited by a recognized
22 body or bodies, or by a State agency, approved
23 for such purpose by the Secretary of Education
24 and when applied to a hospital, school, college,
25 or university (or a unit thereof) means a hos-

1 pital, school, college, or university (or a unit
2 thereof) which is accredited by a recognized
3 body or bodies, or by a State agency, approved
4 for such purpose by the Secretary of Education.
5 For the purpose of this paragraph, the Sec-
6 retary of Education shall publish a list of recog-
7 nized accrediting bodies, and of State agencies,
8 which the Secretary of Education determines to
9 be reliable authority as to the quality of edu-
10 cation offered.

11 “(B) NEW PROGRAMS.—A new school of
12 nursing that, by reason of an insufficient period
13 of operation, is not, at the time of the submis-
14 sion of an application for a grant or contract
15 under this title, eligible for accreditation by
16 such a recognized body or bodies or State agen-
17 cy, shall be deemed accredited for purposes of
18 this title if the Secretary of Education finds,
19 after consultation with the appropriate accredi-
20 tation body or bodies, that there is reasonable
21 assurance that the school will meet the accredi-
22 tation standards of such body or bodies prior to
23 the beginning of the academic year following
24 the normal graduation date of students of the
25 first entering class in such school.

1 ~~“(7) NONPROFIT.—The term ‘nonprofit’ as ap-~~
2 ~~plied to any school, agency, organization, or institu-~~
3 ~~tion means one which is a corporation or association,~~
4 ~~or is owned and operated by one or more corpora-~~
5 ~~tions or associations, no part of the net earnings of~~
6 ~~which inures, or may lawfully inure, to the benefit~~
7 ~~of any private shareholder or individual.~~

8 ~~“(8) STATE.—The term ‘State’ means a State,~~
9 ~~the Commonwealth of Puerto Rico, the District of~~
10 ~~Columbia, the Commonwealth of the Northern Mari-~~
11 ~~ana Islands, Guam, American Samoa, the Virgin Is-~~
12 ~~lands, or the Trust Territory of the Pacific Islands.~~

13 ~~“§ 802. Application~~

14 ~~“(a) IN GENERAL.—To be eligible to receive a grant~~
15 ~~or contract under this title, an eligible entity shall prepare~~
16 ~~and submit to the Secretary an application that meets the~~
17 ~~requirements of this section, at such time, in such manner,~~
18 ~~and containing such information as the Secretary may re-~~
19 ~~quire.~~

20 ~~“(b) PLAN.—An application submitted under this~~
21 ~~section shall contain the plan of the applicant for carrying~~
22 ~~out a project with amounts received under this title. Such~~
23 ~~plan shall be consistent with relevant Federal, State, or~~
24 ~~regional program plans.~~

1 “(c) PERFORMANCE OUTCOME STANDARDS.—An ap-
2 plication submitted under this section shall contain a spec-
3 ification by the applicant entity of performance outcome
4 standards that the project to be funded under the grant
5 or contract will be measured against. Such standards shall
6 address relevant national nursing needs that the project
7 will meet. The recipient of a grant or contract under this
8 section shall meet the standards set forth in the grant or
9 contract application.

10 “(d) LINKAGES.—An application submitted under
11 this section shall contain a description of the linkages with
12 relevant educational and health care entities, including
13 training programs for other health professionals as appro-
14 priate, that the project to be funded under the grant or
15 contract will establish.

16 **“§ 803. Use of funds**

17 “(a) IN GENERAL.—Amounts provided under a grant
18 or contract awarded under this title may be used for train-
19 ing program development and support, faculty develop-
20 ment, model demonstrations, trainee support including
21 tuition, books, program fees and reasonable living ex-
22 penses during the period of training, technical assistance,
23 workforce analysis, and dissemination of information, as
24 appropriate to meet recognized nursing objectives, in ac-
25 cordance with this title.

1 “(b) MAINTENANCE OF EFFORT.—With respect to
2 activities for which a grant awarded under this title is to
3 be expended, the entity shall agree to maintain expendi-
4 tures of non-Federal amounts for such activities at a level
5 that is not less than the level of such expenditures main-
6 tained by the entity for the fiscal year preceding the fiscal
7 year for which the entity receives such a grant.

8 **“§ 804. Matching requirement**

9 “The Secretary may require that an entity that ap-
10 plies for a grant or contract under this title provide non-
11 Federal matching funds, as appropriate, to ensure the in-
12 stitutional commitment of the entity to the projects funded
13 under the grant. Such non-Federal matching funds may
14 be provided directly or through donations from public or
15 private entities and may be in cash or in-kind, fairly evalu-
16 ated, including plant, equipment, or services.

17 **“§ 805. Preference**

18 “In awarding grants or contracts under this title, the
19 Secretary shall give preference to applicants with projects
20 that will substantially benefit rural or underserved popu-
21 lations, or public health personnel shortage professions in
22 State or local health departments.

23 **“§ 806. Generally applicable provisions**

24 “(a) AWARDING OF GRANTS AND CONTRACTS.—The
25 Secretary shall ensure that grants and contracts under

1 this title are awarded on a competitive basis to carry out
2 innovative demonstration projects or provide for strategic
3 workforce supplementation activities as needed to meet
4 national nursing service goals and in accordance with this
5 title.

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

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

12 “(d) DURATION OF ASSISTANCE.—

13 “(1) IN GENERAL.—Subject to paragraph (2),
14 in the case of an award to an entity of a grant, co-
15 operative agreement, or contract under this title, the
16 period during which payments are made to the en-
17 tity under the award may not exceed 5 years. The
18 provision of payments under the award shall be sub-
19 ject to annual approval by the Secretary of the pay-
20 ments and subject to the availability of appropria-
21 tions for the fiscal year involved to make the pay-
22 ments. This paragraph may not be construed as lim-
23 iting the number of awards under the program in-
24 volved that may be made to the entity.

1 (who shall be an ex officio member and shall serve as the
2 Chairperson), and 15 members appointed by the Secretary
3 without regard to the Federal civil service laws, of which—

4 “(1) 2 shall be selected from full-time students
5 enrolled in schools of nursing;

6 “(2) 3 shall be selected from the general public;

7 “(3) 2 shall be selected from practicing profes-
8 sional nurses; and

9 “(4) 8 shall be selected from among the leading
10 authorities in the various fields of nursing, higher,
11 and secondary education, and from representatives
12 of hospitals and other institutions and organizations
13 which provide nursing services.

14 A majority of the members shall be nurses. The student-
15 members of the Council shall be appointed for terms of
16 one year and shall be eligible for reappointment to the
17 Council.

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

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

1 **“§ 808. Technical assistance**

2 “Funds appropriated under this title may be used by
3 the Secretary to provide technical assistance in relation
4 to any of the authorities under this title.

5 **“§ 809. Recovery for construction assistance**

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

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

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

16 “(3) the facility is used for sectarian instruction
17 or as a place for religious worship,

18 the United States shall be entitled to recover from the
19 owner of the facility the base amount prescribed by sub-
20 section (c)(1) plus the interest (if any) prescribed by sub-
21 section (c)(2).

22 “(b) NOTICE OF CHANGE IN STATUS.—The owner of
23 a facility which ceases to be a public or nonprofit school
24 as described in paragraph (1) of subsection (a), or the
25 owner of a facility the use of which changes as described
26 in paragraph (2) or (3) of such subsection shall provide

1 the Secretary written notice of such cessation or change
2 of use within 10 days after the date on which such ces-
3 sation or change of use occurs or within 30 days after
4 the date of enactment of the Health Professions Training
5 Assistance Act of 1985, whichever is later.

6 ~~“(c) AMOUNT OF RECOVERY.—~~

7 ~~“(1) BASE AMOUNT.—The base amount that~~
8 ~~the United States is entitled to recover under sub-~~
9 ~~section (a) is the amount bearing the same ratio to~~
10 ~~the then value (as determined by the agreement of~~
11 ~~the parties or in an action brought in the district~~
12 ~~court of the United States for the district in which~~
13 ~~the facility is situated) of the facility as the amount~~
14 ~~of the Federal participation bore to the cost of the~~
15 ~~construction.~~

16 ~~“(2) INTEREST.—~~

17 ~~“(A) IN GENERAL.—The interest that the~~
18 ~~United States is entitled to recover under sub-~~
19 ~~section (a) is the interest for the period (if any)~~
20 ~~described in subparagraph (B) at a rate (deter-~~
21 ~~mined by the Secretary) based on the average~~
22 ~~of the bond equivalent rates of 91-day Treasury~~
23 ~~bills auctioned during such period.~~

1 “(B) TIME PERIOD.—The period referred
2 to in subparagraph (A) is the period begin-
3 ning—

4 “(i) if notice is provided as prescribed
5 by subsection (b), 191 days after the date
6 on which the owner of the facility ceases to
7 be a public or nonprofit school as described
8 in paragraph (1) of subsection (a), or 191
9 days after the date on which the use of the
10 facility changes as described in paragraph
11 (2) or (3) of such subsection, or

12 “(ii) if notice is not provided as pre-
13 scribed by subsection (b), 11 days after the
14 date on which such cessation or change of
15 use occurs,

16 and ending on the date the amount the United
17 States is entitled to recover is collected.

18 “(d) WAIVER OF RIGHTS.—The Secretary may waive
19 the recovery rights of the United States under subsection
20 (a)(2) with respect to a facility (under such conditions as
21 the Secretary may establish by regulation) if the Secretary
22 determines that there is good cause for waiving such
23 rights.

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

4 “~~PART B—NURSE PRACTITIONERS, NURSE MIDWIVES,~~
5 ~~AND OTHER ADVANCED PRACTICE NURSES~~

6 “**§ 811. Advanced practice nursing grants**

7 “(a) ~~IN GENERAL.~~—The Secretary may award grants
8 to and enter into contracts with eligible entities to meet
9 the costs of—

10 “(1) projects that support the enhancement of
11 advanced practice nursing education and practice;
12 and

13 “(2) traineeships for individuals in advanced
14 practice nursing programs.

15 “(b) ~~DEFINITION OF ADVANCED PRACTICE~~
16 ~~NURSES.~~—For purposes of this section, the term ‘ad-
17 vanced practice nurses’ means nurses trained in advanced
18 degree programs including individuals in combined R.N./
19 Master’s degree programs, post-nursing master’s certifi-
20 cate programs, or, in the case of nurse midwives or nurse
21 anesthetists, in certificate programs that received funding
22 under this title on the date that is one day prior to the
23 date of enactment of this section, to serve as nurse practi-
24 tioners, nurse midwives, nurse anesthetists, nurse edu-
25 cators, or public health nurses, or in other nurse special-

1 ties determined by the secretary to require advanced edu-
2 cation.

3 ~~“(c) AUTHORIZED NURSE PRACTITIONER AND~~
4 ~~NURSE-MIDWIFERY PROGRAMS.—~~

5 ~~“(1) IN GENERAL.—Nurse practitioner and~~
6 ~~nurse midwifery programs eligible for support under~~
7 ~~this section are educational programs for registered~~
8 ~~nurses (irrespective of the type of school of nursing~~
9 ~~in which the nurses received their training) that—~~

10 ~~“(A) meet guidelines prescribed by the~~
11 ~~Secretary in accordance with paragraph (2);~~
12 ~~and~~

13 ~~“(B) have as their objective the education~~
14 ~~of nurses who will upon completion of their~~
15 ~~studies in such programs, be qualified to effec-~~
16 ~~tively provide primary health care, including~~
17 ~~primary health care in homes and in ambula-~~
18 ~~tory care facilities, long-term care facilities and~~
19 ~~other health care institutions.~~

20 ~~“(2) GUIDELINES.—After consultation with ap-~~
21 ~~propriate educational organizations and professional~~
22 ~~nursing and medical organizations, the Secretary~~
23 ~~shall prescribe guidelines for programs described in~~
24 ~~paragraph (1). Such guidelines shall, as a minimum,~~
25 ~~require that such a program—~~

1 “(A) extend for at least one academic year
2 and consist of—

3 “(i) supervised clinical practice di-
4 rected toward preparing nurses to deliver
5 primary health care; and

6 “(ii) at least four months (in the ag-
7 gregate) of classroom instruction that is so
8 directed; and

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

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

15 “(e) TRAINEESHIPS.—

16 “(1) IN GENERAL.—The Secretary may not
17 award a grant to an applicant under subsection (a)
18 unless the applicant involved agrees that
19 traineeships provided with the grant will only pay all
20 or part of the costs of—

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

1 “(b) GUIDANCE.—In carrying out subsection (a), the
2 Secretary shall take into consideration the recommenda-
3 tions of the First and Second Invitational Congresses for
4 Minority Nurse Leaders on ‘Caring for the Emerging Ma-
5 jority,’ in 1992 and 1993, and consult with nursing asso-
6 ciations including the American Nurses Association, the
7 National League for Nursing, the American Association
8 of Colleges of Nursing, the Black Nurses Association, the
9 Association of Hispanic Nurses, the Association of Asian
10 American and Pacific Islander Nurses, the National
11 Nurses Association, the Native American Indian and Alas-
12 kan Nurses Association.

13 “(c) REQUIRED INFORMATION AND CONDITIONS FOR
14 AWARD RECIPIENTS.—

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

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

1 ~~“(3) INELIGIBILITY.—A recipient described in~~
 2 ~~paragraph (2) shall be ineligible for continued fund-~~
 3 ~~ing under this section if the plan of the recipient~~
 4 ~~fails to improve the rates within the 1-year period~~
 5 ~~beginning on the date such plan is implemented.~~

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

8 ~~“§ 831. Basic nurse education and practice grants~~

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

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

20 ~~“(1) improving nursing services in schools and~~
 21 ~~other community settings;~~

22 ~~“(2) providing care for underserved populations~~
 23 ~~and other high-risk groups such as the elderly, indi-~~
 24 ~~viduals with HIV-AIDS, substance abusers, home-~~
 25 ~~less, and battered women;~~

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

4 “(4) developing cultural competencies among
5 nurses;

6 “(5) providing emergency health services;

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

11 “(7) other priority areas as determined by the
12 Secretary.

13 “PART E—AUTHORIZATION OF APPROPRIATIONS

14 “**§ 841. Authorization of appropriations**

15 “There are authorized to be appropriated to carry out
16 section 811, 821, and 831, \$62,000,000 for fiscal year
17 1996, such sums as may be necessary in each of the fiscal
18 years 1997 and 1998, and \$59,000,000 for fiscal year
19 1999.”; and

20 (6) by redesignating sections 855 and 860 as
21 sections 810 and 810A, and transferring such sec-
22 tions so as to appear after section 809 (as added by
23 the amendment made by paragraph (5)).

1 **SEC. 124. SAVINGS PROVISION.**

2 In the case of any authority for making awards of
3 grants or contracts that is terminated by the amendment
4 made by section 123, the Secretary of Health and Human
5 Services may, notwithstanding the termination of the au-
6 thority, continue in effect any grant or contract made
7 under the authority that is in effect on the day before the
8 date of the enactment of this Act, subject to the duration
9 of any such grant or contract not exceeding the period
10 determined by the Secretary in first approving such finan-
11 cial assistance, or in approving the most recent request
12 made (before the date of such enactment) for continuation
13 of such assistance, as the case may be.

14 **SEC. 125. PREFERENCE AND REQUIRED INFORMATION IN**
15 **CERTAIN PROGRAMS.**

16 Section 810A of the Public Health Service Act (42
17 U.S.C. 298b-7) (as so redesignated by section 123(6)) is
18 amended by adding at the end thereof the following sub-
19 section:

20 “(f) EXCEPTIONS.—

21 “(1) IN GENERAL.—To permit new programs to
22 compete equitably for funding under this section,
23 those new programs that meet the criteria described
24 in paragraph (3) shall qualify for a funding pref-
25 erence under this section.

1 “(2) DEFINITION.—As used in this subsection,
2 the term ‘new program’ means any program that
3 has graduated less than three classes. Upon grad-
4 uating at least three classes, a program shall have
5 the capability to provide the information necessary
6 to qualify the program for the general funding pref-
7 erences described in subsection (a).

8 “(3) CRITERIA.—The criteria referred to in
9 paragraph (1) are the following:

10 “(A) The mission statement of the pro-
11 gram identifies a specific purpose of the pro-
12 gram as being the preparation of nurses to
13 serve underserved populations.

14 “(B) The curriculum of the program in-
15 cludes content which will help to prepare practi-
16 tioners to serve underserved populations.

17 “(C) Substantial clinical training experi-
18 ence is required under the program in medically
19 underserved communities.

20 “(D) A minimum of 20 percent of the fac-
21 ulty of the program spend at least 50 percent
22 of their time providing or supervising care in
23 medically underserved communities.

1 “(E) The entire program or a substantial
2 portion of the program is physically located in
3 a medically underserved community.

4 “(F) Student assistance, which is linked to
5 service in medically underserved communities
6 following graduation, is available to the stu-
7 dents in the program.

8 “(G) The program provides a placement
9 mechanism for deploying graduates to medically
10 underserved communities.”.

11 **SEC. 126. EFFECTIVE DATE.**

12 This title shall take effect on October 1, 1995, or the
13 date of enactment of this Act, whichever is later.

14 **Subtitle C—Financial Assistance**

15 **PART 1—NATIONAL HEALTH SERVICE CORPS**

16 **FINANCIAL ASSISTANCE PROGRAMS**

17 **SEC. 131. GENERAL AMENDMENTS WITH RESPECT TO FED-**
18 **ERALLY SUPPORTED LOANS.**

19 (a) **LOAN REPAYMENT PROGRAM.**—Section 338B of
20 the Public Health Service Act (42 U.S.C. 2541-1) is
21 amended—

22 (1) in subsection (a)—

23 (A) in the matter preceding paragraph (1),
24 by inserting “and public health disease preven-

1 tion and health promotion activities” before the
2 dash; and

3 (B) in paragraph (1), by striking “and
4 physician assistants” and inserting “physician
5 assistants, and public health professionals”;

6 (2) in subsection (b)(1)—

7 (A) in subparagraph (A), by inserting
8 “public health,” after “dentistry,”;

9 (B) in subparagraph (B), by inserting
10 “public health,” after “dentistry,”; and

11 (C) in subparagraph (C), by inserting
12 “public health,” after “dentistry,”;

13 (3) in subsection (c)(4)—

14 (A) in subparagraph (A), by inserting
15 “and schools of public health” after “profes-
16 sions schools”;

17 (B) in subparagraph (B)(i)—

18 (i) by inserting “or public health pro-
19 fessional” after “and health professional”;
20 and

21 (ii) by inserting “or public health dis-
22 ease prevention and health promotion ac-
23 tivities” before the period;

24 (C) in subparagraph (C)—

1 (i) by inserting “or public health dis-
2 ease prevention and health promotion ac-
3 tivities,” after primary health services.”;

4 (ii) by inserting “or public health pro-
5 fessions” after “health professions”; and

6 (iii) by inserting “or public health
7 professionals” after “health professionals”
8 each place that such occurs;

9 (4) in subsection (f)(1)(B)(iv), by inserting “or
10 public health disease prevention and health pro-
11 motion activities” after “primary health services”;

12 (5) in subsection (g)(2)(A)(iii)—

13 (A) by inserting “or public health profes-
14 sional” after “the health professional”; and

15 (B) by inserting “or public health disease
16 prevention and health promotion activities”
17 after “primary health services”; and

18 (6) in subsection (i)(8), —

19 (A) by inserting “or public health profes-
20 sionals” after “health professionals”; and

21 (B) by inserting “or public health disease
22 prevention and health promotion activities”
23 after “primary health services”.

1 (b) OBLIGATED SERVICE.—Section 338C(b)(5) of the
2 Public Health Service Act (42 U.S.C. 254m(b)(5)) is
3 amended—

4 (1) in subparagraph (A), by inserting “public
5 health,” after “dentistry,”; and

6 (2) in subparagraph (E)—

7 (A) in clause (ii), by inserting “public
8 health,” after “dentistry,”; and

9 (B) in clause (iii), by inserting “public
10 health,” after “dentistry,”.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
12 338H of the Public Health Service Act (42 U.S.C. 254q)
13 is amended to read as follows:

14 **“§ 338h. Authorization of appropriations**

15 “(a) AUTHORIZATION OF APPROPRIATIONS.—For the
16 purpose of carrying out this subpart, there are authorized
17 to be appropriated \$90,000,000 for fiscal year 1996 and
18 such sums as may be necessary for each of the fiscal years
19 1997 through 2000.

20 “(b) DISTRIBUTION OF AMOUNTS.—The Secretary
21 shall determine the most appropriate manner in which to
22 allocate amounts appropriated under subsection (a) be-
23 tween the programs authorized in chapter 1, chapter 2,
24 and chapter 3. In determining the manner in which to allo-
25 cate such amounts, the Secretary shall give priority to

1 funding State-based programs as appropriate under chap-
2 ter 3. The Secretary shall distribute such amounts among
3 the various programs in such chapters in a manner which
4 furthers both Federal and State needs for health profes-
5 sionals in underserved areas.”.

6 (d) GRANTS FOR LOAN REPAYMENT PROGRAM.—
7 Section 338I of the Public Health Service Act (42 U.S.C.
8 254q-1) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (1), by striking “in
11 health professional shortage areas” and insert-
12 ing “or public health disease prevention and
13 health promotion activities in Federal health
14 professional shortage areas or approved State
15 designated health professional shortage areas”;
16 and

17 (B) in paragraph (2)—

18 (i) by inserting “or public health pro-
19 fessionals” after “health professionals”;
20 and

21 (ii) by striking “in health professional
22 shortage areas” and inserting “or public
23 health disease prevention and health pro-
24 motion activities in Federal health profes-
25 sional shortage areas or approved State

1 designated health professional shortage
2 areas”;

3 ~~(2)~~ in subsection (c)—

4 (A) in paragraph (1)—

5 (i) in the paragraph heading, by strik-
6 ing “FEDERAL” and inserting “FEDERAL
7 OR APPROVED STATE”; and

8 (ii) by inserting before the period the
9 following: “or approved State designated
10 health professional shortage areas”;

11 (B) in paragraph ~~(2)~~, by inserting “or
12 public health professionals” after “health pro-
13 fessionals”;

14 (C) in paragraph (3)—

15 (i) in subparagraph (A)—

16 (I) in the matter preceding clause
17 (i), by inserting “or public health pro-
18 fessionals” after “health profes-
19 sionals”; and

20 (II) in clause (ii), by striking
21 health”;

22 (ii) in subparagraph (B)—

23 (I) in the matter preceding clause
24 (i), by inserting “or public health pro-

1 fessional” after “health professional”;
2 and

3 (II) in clause (ii)—

4 (aa) by inserting “or public
5 health professional” after “the
6 health professional”; and

7 (bb) by striking “services in
8 a” and inserting “services or
9 public health disease prevention
10 and health promotion activities in
11 a Federal”; and

12 (D) by adding at the end thereof the fol-
13 lowing new paragraph:

14 “(4) PRIVATE PRACTICE.—

15 “(A) In carrying out the program operated
16 with a grant under subsection (a), a State may
17 waive the requirement of paragraph (1) regard-
18 ing the assignment of a health professional if,
19 subject to subparagraph (B), the health profes-
20 sional enters into an agreement with the State
21 to provide primary health services in a full-time
22 private clinical practice in a health professional
23 shortage area.

24 “(B) The Secretary may not make a grant
25 under subsection (a) unless the State involved

1 agrees that, if the State provides a waiver
 2 under subparagraph (A) for a health profes-
 3 sional, section 338D(b)(1) will apply to the
 4 agreement under such subparagraph between
 5 the State and the health professional to the
 6 same extent and in the same manner as such
 7 section applies to an agreement between the
 8 Secretary and a health professional regarding a
 9 full-time private clinical practice.”; and
 10 (3) in subsection (h), to read as follows:

11 “(h) DEFINITIONS.—Unless specifically provided oth-
 12 erwise, as used in this subpart and section 338F:

13 “(1) APPROVED STATE DESIGNATED HEALTH
 14 PROFESSIONAL SHORTAGE AREA.—The term ‘ap-
 15 proved State designated health professional shortage
 16 area’ means an area designated by the State as un-
 17 derserved using specific methodology and criteria to
 18 identify such areas. Such criteria and methodology
 19 shall be approved by the Secretary.

20 “(2) COMMUNITY ORGANIZATION.—The term
 21 ‘community organization’ means a public or non-
 22 profit private entity.

23 “(3) PRIMARY HEALTH CARE.—The term ‘pri-
 24 mary health care’ means health services regarding
 25 family medicine, general internal medicine, general

1 pediatrics, or may include obstetrics and gynecology,
2 that are provided by physicians, certified nurse prac-
3 titioners, certified nurse midwives, or physician as-
4 sistants.

5 “(4) STATE.—The term ‘State’ means each of
6 the several States and the District of Columbia.”.

7 (e) COMMUNITY SCHOLARSHIP PROGRAMS.—Section
8 338L of the Public Health Service Act (42 U.S.C. 254t)
9 is amended—

10 (1) in the section heading, by striking “**dem-**
11 **onstration grants to states for**”

12 (2) in subsection (a), by striking “manpower
13 shortage areas” and inserting “Federal health pro-
14 fessional shortage areas and in approved State des-
15 ignated health professional shortage areas”;

16 (3) in subsection (c)—

17 (A) in the matter preceding paragraph (1),
18 by striking “manpower shortage areas” and in-
19 serting “Federal health professional shortage
20 areas and in approved State designated health
21 professional shortage areas”; and

22 (B) in paragraph (2), by striking “man-
23 power shortage areas” and inserting “Federal
24 health professional shortage areas and in ap-

1 proved State designated health professional
2 shortage areas”;

3 (4) in subsection (e)(1), by striking “manpower
4 shortage areas” and inserting “Federal health pro-
5 fessional shortage areas and in approved State des-
6 ignated health professional shortage areas”;

7 (5) in subsection (f)(1)(A), by striking “man-
8 power shortage areas” and inserting “Federal health
9 professional shortage areas and in approved State
10 designated health professional shortage areas”;

11 (6) in subsection (g), by striking “manpower
12 shortage areas” each place that such appears and
13 inserting “Federal health professional shortage areas
14 and in approved State designated health professional
15 shortage areas”; and

16 (7) by striking subsections (j) through (l).

17 **SEC. 132. RESTRUCTURING AND TECHNICAL AMENDMENTS.**

18 (a) REDESIGNATIONS.—Subpart III of part D of title
19 III of the Public Health Service Act (42 U.S.C. 254l et
20 seq.) is amended—

21 (1) by redesignating sections 338J and 338K
22 (42 U.S.C. 254s and 254t) as sections 338M and
23 338N, respectively;

1 **“CHAPTER 2—NATIONAL HEALTH SERVICE**

2 **CORPS LOAN REPAYMENT PROGRAMS**

3 **“Subchapter A—Loan Repayment Program”;**

4 and

5 (4) by inserting after section 338C (as so redesi-
6 gnated) the following:

7 **“Subchapter B—Nursing Loan Repayment Program”.**

8 (c) TRANSFERS AND REDESIGNATIONS OF NURSING
9 LOAN REPAYMENT PROGRAM.—Subpart III of part B of
10 title VIII (42 U.S.C. 297n et seq.) is amended—

11 (1) by striking the subpart heading;

12 (2) by transferring section 846 (42 U.S.C.
13 297n) to subchapter B of chapter 2 of subpart III
14 of part D of title III (as added by subsection (b)(4));

15 and

16 (3) in section 846—

17 (A) by striking the section heading and in-
18 serting the following:

19 **“§ 338d. Nursing loan repayment program”;**

20 (B) by striking subsection (d); and

21 (C) by striking subsection (g).

22 (d) TRANSFERS AND REDESIGNATIONS OF STATE
23 LOAN REPAYMENT AND COMMUNITY SCHOLARSHIP PRO-
24 GRAMS.—Subpart III of part D of title III of the Public
25 Health Service Act (42 U.S.C. 254l et seq.) (as amended
26 by subsections (a) through (c)) is further amended—

1 (1) by inserting after section 338D (as so
2 transferred and redesignated by subsection (c)(3))
3 the following:

4 **“CHAPTER 3—STATE LOAN REPAYMENT AND**
5 **COMMUNITY SCHOLARSHIP PROGRAMS**

6 **“Subchapter A—State Loan Repayment Programs”;**

7 (2) by transferring section 338E (as so redesign-
8 ated by subsection (a)(3)) to subchapter A of chap-
9 ter 3 of such subpart (as added by paragraph (1));
10 (3) by inserting after section 338E (as trans-
11 ferred by paragraph (2)) the following:

12 **“Subchapter B—Community Scholarship Programs”;**

13 (4) by transferring section 338F (as so redesign-
14 ated by subsection (a)(4)) to subchapter B of chap-
15 ter 3 of such subpart (as added by paragraph (3));
16 and

17 (5) by inserting after section 338F (as trans-
18 ferred by paragraph (4)) the following:

19 **“CHAPTER 4—GENERAL PROVISIONS”**

20 (e) CLINICAL RESEARCHERS.—Paragraph (3) of sec-
21 tion 487E(a) of the Public Health Service Act (42 U.S.C.
22 288–5(a)(3)) is amended to read as follows:

23 “(3) APPLICABILITY OF CERTAIN PROVISIONS
24 REGARDING OBLIGATED SERVICE.—With respect to
25 the National Health Service Corps loan repayment

1 program established in subpart III of part D of title
 2 III, the provisions of such subpart shall, except as
 3 inconsistent with this section, apply to the program
 4 established in subsection (a) in the same manner
 5 and to the same extent as such provisions apply to
 6 the National Health Service Corps loan repayment
 7 programs.”.

8 **SEC. 133. DEFINITION OF UNDERSERVED AREAS.**

9 Section 332(a)(1) of the Public Health Service Act
 10 (~~42 U.S.C. 254e(a)(1)~~) is amended in the first sentence—

11 (1) by striking “, or (C)” and inserting “, (C)”;

12 and

13 (2) by inserting before the period the following:

14 “, or (D) a State or local health department that
 15 has a severe shortage of public health personnel as
 16 determined under criteria established by the Sec-
 17 retary”.

18 **SEC. 134. CONFORMING AMENDMENTS.**

19 Title III of the Public Health Service Act (~~42 U.S.C.~~
 20 ~~241 et seq.~~) is amended—

21 (1) in subparagraphs (A) and (B) of section
 22 303(d)(4) (~~42 U.S.C. 242a(d)(4)(A) and (B)~~), by
 23 striking “338C or 338D” each place that such oc-
 24 curs and inserting “338G or 338H”;

1 (2) in section 331(c) (42 U.S.C. 254d(c)), by
2 striking “338D” and inserting “338H”;

3 (3) in section 337(a) (42 U.S.C. 254j(a)), by
4 striking “338G” and inserting “338K”;

5 (4) in 338A (42 U.S.C. 254l)—

6 (A) in subsection (c)(1)—

7 (i) in subparagraph (A), by striking
8 “338D” and inserting “338I”; and

9 (ii) in subparagraph (B), by striking
10 “338C” and inserting “338H”;

11 (B) in subsection (f)(3), by striking
12 “338D” and inserting “338I”; and

13 (C) in subsection (i)(5)—

14 (i) in subparagraph (A), by striking
15 “338E” and inserting “338I”; and

16 (ii) in subparagraph (B)(ii), by strik-
17 ing “338E” and inserting “338I”;

18 (5) in section 338B (42 U.S.C. 254l-1)—

19 (A) in subsection (c)(1)—

20 (i) in subparagraph (A), by striking
21 “338E” and inserting “338I”; and

22 (ii) in subparagraph (B), by striking
23 “338D” and inserting “338H”;

24 (B) in subsection (f)(1)(B)(iv), by striking
25 “338D” and inserting “338H”;

- 1 (C) in subsection (f)(4), by striking
2 “338E” and inserting “338I”; and
- 3 (D) in subsection (i)(7)—
- 4 (i) in subparagraph (A), by striking
5 “338E” and inserting “338I”; and
- 6 (ii) in subparagraph (B)(ii), by strik-
7 ing “338E” and inserting “338I”;
- 8 (6) in section 338E(d)(1)(C) (as so redesign-
9 ated by section 102), by striking “338J” and in-
10 serting “338M”;
- 11 (7) in section 338G (as so redesignated by sec-
12 tion 102)—
- 13 (A) in subsection (a), by striking “338D”
14 and inserting “338H”; and
- 15 (B) in subsection (c)(2), by striking
16 “338D” and inserting “338H”;
- 17 (8) in section 338H(a) (as so redesignated by
18 section 102), by striking “338C” and inserting
19 “338G”;
- 20 (9) in section 338I (as so redesignated by sec-
21 tion 102)—
- 22 (A) in subsection (b)(1)(A)—
- 23 (i) by striking “338F” and inserting
24 “338K”;

1 (ii) by striking “338C or 338D” and
2 inserting “338G or 338H”;

3 (iii) by striking “338C” and inserting
4 “338G”; and

5 (iv) by striking “338D” and inserting
6 “338H”; and

7 (B) in subsection (c)(1)—

8 (i) by striking “338F” and inserting
9 “338K”; and

10 (ii) by striking “338C or 338D” and
11 inserting “338G or 338H”;

12 (10) in section 338J(b) (as so redesignated by
13 section 102)—

14 (A) in paragraph (1), by striking “338E”
15 and inserting “338I”; and

16 (B) in paragraph (2), by striking “338I”
17 and inserting “338E”;

18 (11) in section 338K (as so redesignated by
19 section 102)—

20 (A) in subsection (a)(2), by striking
21 “338D” and inserting “338H”; and

22 (B) in subsection (d)(1), by striking
23 “338E” and inserting “338I”; and

1 (b) REPEAL.—Effective October 1, 1998, paragraph
2 (1) of section 724(f) of the Public Health Service Act (42
3 U.S.C. 292t(f)(1)) is repealed.

4 **SEC. 137. STUDENT LOANS REGARDING SCHOOLS OF NURS-**
5 **ING.**

6 (a) IN GENERAL.—Section 836(b) of the Public
7 Health Service Act (42 U.S.C. 297b(b)) is amended—

8 (1) in paragraph (1), by striking the period at
9 the end and inserting a semicolon;

10 (2) in paragraph (2)—

11 (A) in subparagraph (A), by striking
12 “and” at the end; and

13 (B) by inserting before the semicolon at
14 the end the following: “; and (C) such addi-
15 tional periods under the terms of paragraph (8)
16 of this subsection”;

17 (3) in paragraph (7), by striking the period at
18 the end and inserting “; and”;

19 (4) by adding at the end the following para-
20 graph:

21 “~~(8)~~ pursuant to uniform criteria established by
22 the Secretary, the repayment period established
23 under paragraph ~~(2)~~ for any student borrower who
24 during the repayment period failed to make consecu-
25 tive payments and who, during the last 12 months

1 of the repayment period, has made at least 12 con-
2 secutive payments may be extended for a period not
3 to exceed 10 years.”.

4 (b) BREACH OF AGREEMENTS.—Subpart H of part
5 B of title VIII of the Public Health Service Act (42 U.S.C.
6 297a et seq.) is amended by adding at the end thereof
7 the following new section:

8 **“§ 843. Breach of agreement**

9 “(a) IN GENERAL.—In the case of any program
10 under this subpart under which an individual makes an
11 agreement to provide health services for a period of time
12 in accordance with such program in consideration of re-
13 ceiving an award of Federal funds regarding education as
14 a nurse (including an award for the repayment of loans),
15 the following applies if the agreement provides that this
16 section is applicable:

17 “(1) In the case of a program under this sub-
18 part that makes an award of Federal funds for at-
19 tending an accredited program of nursing (in this
20 section referred to as a ‘nursing program’), the indi-
21 vidual is liable to the Federal Government for the
22 amount of such award (including amounts provided
23 for expenses related to such attendance), and for in-
24 terest on such amount at the maximum legal prevail-
25 ing rate, if the individual—

1 “(A) fails to maintain an acceptable level
2 of academic standing in the nursing program
3 (as indicated by the program in accordance
4 with requirements established by the Sec-
5 retary);

6 “(B) is dismissed from the nursing pro-
7 gram for disciplinary reasons; or

8 “(C) voluntarily terminates the nursing
9 program.

10 “(2) The individual is liable to the Federal Gov-
11 ernment for the amount of such award (including
12 amounts provided for expenses related to such at-
13 tendance), and for interest on such amount at the
14 maximum legal prevailing rate, if the individual fails
15 to provide health services in accordance with the
16 program under this subpart for the period of time
17 applicable under the program.

18 “(b) WAIVER OR SUSPENSION OF LIABILITY.—In the
19 case of an individual or health facility making an agree-
20 ment for purposes of subsection (a), the Secretary shall
21 provide for the waiver or suspension of liability under such
22 subsection if compliance by the individual or the health
23 facility, as the case may be, with the agreements involved
24 is impossible, or would involve extreme hardship to the in-
25 dividual or facility, and if enforcement of the agreements

1 with respect to the individual or facility would be uncon-
2 scionable.

3 “(c) ~~DATE CERTAIN FOR RECOVERY.~~—Subject to
4 subsection (b), any amount that the Federal Government
5 is entitled to recover under subsection (a) shall be paid
6 to the United States not later than the expiration of the
7 3-year period beginning on the date the United States be-
8 comes so entitled.

9 “(d) ~~AVAILABILITY.~~—Amounts recovered under sub-
10 section (a) with respect to a program under this subpart
11 shall be available for the purposes of such program, and
12 shall remain available for such purposes until expended.”.

13 (c) ~~TECHNICAL AMENDMENTS.~~—Section 839 of the
14 Public Health Service Act (42 U.S.C. 297e) is amended—

15 (1) in subsection (a)—

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

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

23 (B) in paragraph (1), by striking “at the
24 close of September 30, 1999,” and inserting
25 “on the date of termination of the fund”; and

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

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

9 **PART 3—INSURED HEALTH EDUCATION**

10 **ASSISTANCE LOANS TO GRADUATE STUDENTS**

11 **SEC. 141. HEALTH EDUCATION ASSISTANCE LOAN PRO-**

12 **GRAM.**

13 (a) HEALTH EDUCATION ASSISTANCE LOAN
14 DEFERMENT FOR BORROWERS PROVIDING HEALTH
15 SERVICES TO INDIANS.—

16 (1) IN GENERAL.—Section 705(a)(2)(C) of the
17 Public Health Service Act is amended by striking
18 “and (x)” and inserting “(x) not in excess of three
19 years, during which the borrower is providing health
20 care services to Indians through an Indian health
21 program (as defined in section 108(a)(2)(A) of the
22 Indian Health Care Improvement Act (25 U.S.C.
23 1616a(a)(2)(A)); and (xi)”.

1 (2) CONFORMING AMENDMENTS.—Section
2 705(a)(2)(C) of the Public Health Service Act is fur-
3 ther amended—

4 (A) in clause (xi) (as so redesignated) by
5 striking “(ix)” and inserting “(x)”; and

6 (B) in the matter following such clause
7 (xi), by striking “(x)” and inserting “(xi)”.

8 (3) EFFECTIVE DATE.—The amendments made
9 by this subsection shall apply with respect to serv-
10 ices provided on or after the first day of the third
11 month that begins after the date of the enactment
12 of this Act.

13 (b) MAXIMUM STUDENT LOAN PROVISION.—

14 (1) IN GENERAL.—Section 722(a)(1) of the
15 Public Health Service Act (42 U.S.C. 292r(a)(1)),
16 as amended by section 2014(b)(1) of Public Law
17 103–43, is amended by striking “the sum of” and
18 all that follows through the end thereof and insert-
19 ing “the cost of attendance (including tuition, other
20 reasonable educational expenses, and reasonable liv-
21 ing costs) for that year at the educational institution
22 attended by the student (as determined by such edu-
23 cational institution).”.

24 (2) THIRD AND FOURTH YEARS.—Section
25 722(a)(2) of the Public Health Service Act (42

1 U.S.C. 292r(a)(2)), as amended by section
 2 2014(b)(1) of Public Law 103-43, is amended by
 3 striking “the amount \$2,500” and all that follows
 4 through “including such \$2,500” and inserting “the
 5 amount of the loan may, in the case of the third or
 6 fourth year of a student at school of medicine or os-
 7 teopathic medicine, be increased to the extent nec-
 8 essary”.

9 **PART 4—SCHOLARSHIPS FOR DISADVANTAGED**
 10 **STUDENTS**

11 **SEC. 151. SCHOLARSHIPS FOR DISADVANTAGED STUDENTS.**

12 Part B of title VII of the Public Health Service Act
 13 (as amended by section 101(a)) is further amended by
 14 adding at the end thereof the following new section:

15 **“§ 740. Scholarships for disadvantaged students**

16 “(a) IN GENERAL.—The Secretary may make a grant
 17 or enter into a contract with an eligible entity (as defined
 18 in subsection (f)(1)) under this section for the awarding
 19 of scholarships by schools to any full-time student who is
 20 an eligible individual as defined in subsection (f). Such
 21 scholarships may be expended only for tuition expenses,
 22 other reasonable educational expenses, and reasonable liv-
 23 ing expenses incurred in the attendance of such school,
 24 and may not, for any year of such attendance for which

1 the scholarship is provided, provide an amount exceeding
2 the total amount required for the year.

3 “(b) PREFERENCE IN PROVIDING SCHOLARSHIPS.—

4 The Secretary may not make a grant to or enter into a
5 contract with an entity under subsection (a) unless the
6 health professions school involved agrees that, in providing
7 scholarships pursuant to the grant or contract, the school
8 will give preference to students for whom the costs of at-
9 tending the school would constitute a severe financial
10 hardship.

11 “(c) AMOUNT OF AWARD.—In awarding grants and

12 contracts to eligible entities that are health professions
13 schools, the Secretary shall give priority to eligible entities
14 based on the proportion of graduating students going into
15 primary care, the proportion of minority students, and the
16 proportion of graduates working in medically underserved
17 areas.

18 “(d) MAXIMUM SCHOLARSHIP AWARD.—The maxi-

19 mum scholarship that an individual may receive in any
20 year from an eligible entity that is a health professions
21 school shall be \$3000.

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—There

23 are authorized to be appropriated to carry out this section,
24 \$32,000,000 for each of the fiscal years 1996 through
25 1999.

1 “(f) DEFINITIONS.—As used in this section:

2 “(1) ELIGIBLE ENTITIES.—The term ‘eligible
3 entities’ means an entity that—

4 “(A) is a school of medicine, osteopathic
5 medicine, dentistry, nursing, pharmacy,
6 podiatric medicine, optometry, veterinary medi-
7 cine, public health, or allied health, a school of-
8 fering graduate programs in mental health
9 practices, or an entity providing programs of-
10 fering physician assistant training; and

11 “(B) is carrying out a program for recruit-
12 ing and retaining students from disadvantaged
13 backgrounds, including students who are mem-
14 bers of racial and ethnic minority groups.

15 “(2) ELIGIBLE INDIVIDUAL.—The term ‘eligible
16 individual’ means an individual who—

17 “(A) is from a disadvantaged background;

18 “(B) has a financial need for a scholar-
19 ship; and

20 “(C) is enrolled (or accepted for enroll-
21 ment) at an eligible health profession school as
22 a full-time student in a program leading to a
23 degree in a health profession.”.

1 **TITLE II—OFFICE OF MINORITY**
2 **HEALTH**

3 **SEC. 201. REVISION AND EXTENSION OF PROGRAMS OF OF-**
4 **FICE OF MINORITY HEALTH.**

5 (a) IN GENERAL.—Section 1707 of the Public Health
6 Service Act (42 U.S.C. 300u-6) is amended by striking
7 subsection (b) and all that follows and inserting the follow-
8 ing:

9 “(b) DUTIES.—With respect to improving the health
10 of racial and ethnic minority groups, the Secretary, acting
11 through the Deputy Assistant Secretary for Minority
12 Health (in this section referred to as the ‘Deputy Assist-
13 ant Secretary’), shall carry out the following:

14 “(1) Establish short-range and long-range goals
15 and objectives and coordinate all other activities
16 within the Public Health Service that relate to dis-
17 ease prevention, health promotion, service delivery,
18 and research concerning such individuals. The heads
19 of each of the agencies of the Service shall consult
20 with the Deputy Assistant Secretary to ensure the
21 coordination of such activities.

22 “(2) Carry out the following types of activities
23 by entering into interagency agreements with other
24 agencies of the Public Health Service:

1 “(A) Support research, demonstrations and
2 evaluations to test new and innovative models.

3 “(B) Increase knowledge and understand-
4 ing of health risk factors.

5 “(C) Develop mechanisms that support
6 better information dissemination, education,
7 prevention, and service delivery to individuals
8 from disadvantaged backgrounds, including in-
9 dividuals who are members of racial or ethnic
10 minority groups.

11 “(D) Ensure that the National Center for
12 Health Statistics collects data on the health
13 status of each minority group.

14 “(E) With respect to individuals who lack
15 proficiency in speaking the English language,
16 enter into contracts with public and nonprofit
17 private providers of primary health services for
18 the purpose of increasing the access of the indi-
19 viduals to such services by developing and car-
20 rying out programs to provide bilingual or in-
21 terpretive services.

22 “(3) Support a national minority health re-
23 source center to carry out the following:

24 “(A) Facilitate the exchange of informa-
25 tion regarding matters relating to health infor-

1 mation and health promotion, preventive health
2 services, and education in the appropriate use
3 of health care.

4 “(B) Facilitate access to such information.

5 “(C) Assist in the analysis of issues and
6 problems relating to such matters.

7 “(D) Provide technical assistance with re-
8 spect to the exchange of such information (in-
9 cluding facilitating the development of materials
10 for such technical assistance).

11 “(4) Carry out programs to improve access to
12 health care services for individuals with limited pro-
13 ficiency in speaking the English language by facili-
14 tating the removal of impediments to the receipt of
15 health care that result from such limitation. Activi-
16 ties under the preceding sentence shall include con-
17 ducting research and developing and evaluating
18 model projects.

19 “(5) Not later than June 8 of each year, the
20 heads of the Public Health Service agencies shall
21 submit to the Deputy Assistant Secretary a report
22 summarizing the minority health activities of each of
23 the respective agencies.

24 “(e) ADVISORY COMMITTEE.—

1 ~~“(1) IN GENERAL.—~~The Secretary shall estab-
2 lish an advisory committee to be known as the Advi-
3 sory Committee on Minority Health (in this sub-
4 section referred to as the ‘Committee’). The Deputy
5 Assistant Secretary shall consult with the Committee
6 in carrying out this section.

7 ~~“(2) DUTIES.—~~The Committee shall provide
8 advice to the Deputy Assistant Secretary carrying
9 out this section, including advice on the development
10 of goals and specific program activities under para-
11 graphs (1) and (2) of subsection (b) for each racial
12 and ethnic minority group.

13 ~~“(3) CHAIR.—~~The Deputy Assistant Secretary
14 shall serve as the chair of the Committee.

15 ~~“(4) COMPOSITION.—~~

16 ~~“(A) The Committee shall be composed of~~
17 ~~12~~ voting members appointed in accordance
18 with subparagraph (B), and nonvoting, ex
19 officio members designated in subparagraph
20 (C).

21 ~~“(B) The voting members of the Commit-~~
22 tee shall be appointed by the Secretary from
23 among individuals who are not officers or em-
24 ployees of the Federal Government and who
25 have expertise regarding issues of minority

1 health. The racial and ethnic minority groups
2 shall be equally represented among such mem-
3 bers.

4 “(C) The nonvoting, ex officio members of
5 the Committee shall be the directors of each of
6 the minority health offices, and such additional
7 officials of the Department of Health and
8 Human Services as the Secretary determines to
9 be appropriate.

10 “(5) TERMS.—Each member of the Committee
11 shall serve for a term of 4 years, except that the
12 Secretary shall initially appoint a portion of the
13 members to terms of 1 year, 2 years, and 3 years.

14 “(6) VACANCIES.—If a vacancy occurs on the
15 Committee, a new member shall be appointed by the
16 Secretary within 90 days from the date that the va-
17 cancy occurs, and serve for the remainder of the
18 term for which the predecessor of such member was
19 appointed. The vacancy shall not affect the power of
20 the remaining members to execute the duties of the
21 Committee.

22 “(7) COMPENSATION.—Members of the Com-
23 mittee who are officers or employees of the United
24 States shall serve without compensation. Members of
25 the Committee who are not officers or employees of

1 the United States shall receive compensation, for
2 each day (including travel time) they are engaged in
3 the performance of the functions of the Committee.
4 Such compensation may not be in an amount in ex-
5 cess of the daily equivalent of the annual maximum
6 rate of basic pay payable under the General Sched-
7 ule (under title 5, United States Code) for positions
8 above GS-15.

9 ~~“(d) CERTAIN REQUIREMENTS REGARDING DU-~~
10 ~~TIES.—~~

11 ~~“(1) RECOMMENDATIONS REGARDING LAN-~~
12 ~~GUAGE AS IMPEDIMENT TO HEALTH CARE.—The~~
13 ~~Deputy Assistant Secretary for Minority Health~~
14 ~~shall consult with the Director of the Office of Refu-~~
15 ~~gee Health, the Director of the Office of Civil~~
16 ~~Rights, and the Director of the Office of Minority~~
17 ~~Health of the Health Resources and Services Admin-~~
18 ~~istration, and other appropriate offices, regarding~~
19 ~~recommendations for carrying out activities under~~
20 ~~subsection (b)(4).~~

21 ~~“(2) EQUITABLE ALLOCATION REGARDING AC-~~
22 ~~TIVITIES.—~~

23 ~~“(A) In making awards of grants, coopera-~~
24 ~~tive agreements, or contracts under this section~~
25 ~~or section 338A, 338B, 340A, 404, or 724, or~~

1 part B of title VII, the Secretary, acting as ap-
2 propriate through the Deputy Assistant Sec-
3 retary or the Administrator of the Health Re-
4 sources and Services Administration, shall en-
5 sure that such awards are equitably allocated
6 with respect to the various racial and minority
7 populations.

8 “(B) With respect to grants, cooperative
9 agreements, and contracts that are available
10 under the sections specified in subparagraph
11 (A), the Secretary shall—

12 “(i) carry out activities to inform enti-
13 ties, as appropriate, that the entities may
14 be eligible for awards of such assistance;

15 “(ii) provide technical assistance to
16 such entities in the process of preparing
17 and submitting applications for the awards
18 in accordance with the policies of the Sec-
19 retary regarding such application; and

20 “(iii) inform populations, as appro-
21 priate, that members of the populations
22 may be eligible to receive services or other-
23 wise participate in the activities carried out
24 with such awards.

1 ~~“(3) CULTURAL COMPETENCY OF SERVICES.—~~

2 The Secretary shall ensure that information and
3 services provided pursuant to subsection (b) are pro-
4 vided in the language, educational, and cultural con-
5 text that is most appropriate for the individuals for
6 whom the information and services are intended.

7 ~~“(e) GRANTS AND CONTRACTS REGARDING DU-~~
8 ~~TIES.—~~

9 ~~“(1) IN GENERAL.—~~In carrying out subsection
10 ~~(b),~~ the Deputy Assistant Secretary may make
11 awards of grants, cooperative agreements, and con-
12 tracts to public and nonprofit private entities.

13 ~~“(2) PROCESS FOR MAKING AWARDS.—~~The
14 Deputy Assistant Secretary shall ensure that awards
15 under paragraph (1) are made only on a competitive
16 basis, and that a grant is awarded for a proposal
17 only if the proposal has been recommended for such
18 an award through a process of peer review and has
19 been so recommended by the advisory committee es-
20 tablished under subsection (c).

21 ~~“(3) EVALUATION AND DISSEMINATION.—~~The
22 Deputy Assistant Secretary, directly or through con-
23 tracts with public and private entities, shall provide
24 for evaluations of projects carried out with awards
25 made under paragraph (1) during the preceding 2

1 fiscal years. The report shall be included in the re-
2 port required under subsection (f) for the fiscal year
3 involved.

4 “(f) BIENNIAL REPORTS.—Not later than February
5 1 of fiscal year 1996 and of each second year thereafter,
6 the Deputy Assistant Secretary shall submit to the Com-
7 mittee on Energy and Commerce of the House of Rep-
8 resentatives, and to the Committee on Labor and Human
9 Resources of the Senate, a report describing the activities
10 carried out under this section during the preceding 2 fiscal
11 years and evaluating the extent to which such activities
12 have been effective in improving the health of racial and
13 ethnic minority groups. Each such report shall include the
14 biennial reports submitted to the Deputy Assistant Sec-
15 retary under section 201(b)(5) for such years by the heads
16 of the Public Health Service agencies.

17 “(g) DEFINITION.—For purposes of this section:

18 “(1) The term ‘racial and ethnic minority
19 group’ means American Indians (including Alaska
20 Natives, Eskimos, and Aleuts); Asian Americans and
21 Pacific Islanders; Blacks; and Hispanics.

22 “(2) The term ‘Hispanic’ means individuals
23 whose origin is Mexican, Puerto Rican, Cuban,
24 Central or South American, or any other Spanish-
25 speaking country.

1 “(h) FUNDING.—For the purpose of carrying out this
 2 section, there are authorized to be appropriated
 3 \$21,000,000 for fiscal year 1996, such sums as may be
 4 necessary for each of the fiscal years 1997 and 1998, and
 5 \$19,000,000 for fiscal year 1999.”.

6 (b) MISCELLANEOUS AMENDMENT.—Section 1707 of
 7 the Public Health Service Act (42 U.S.C. 300u-6) is
 8 amended in the heading for the section by striking “ES-
 9 TABLISHMENT OF”.

10 **TITLE III—SELECTED**
 11 **INITIATIVES**

12 **SEC. 301. PROGRAMS REGARDING BIRTH DEFECTS.**

13 Section 317C of the Public Health Service Act (42
 14 U.S.C. 247b-4) is amended to read as follows:

15 “PROGRAMS REGARDING BIRTH DEFECTS

16 “SEC. 317C. (a) The Secretary, acting through the
 17 Director of the Centers for Disease Control and Preven-
 18 tion, shall carry out programs—

19 “(1) to collect, analyze, and make available data
 20 on birth defects (in a manner that facilitates compli-
 21 ance with subsection (d)(2)), including data on the
 22 causes of such defects and on the incidence and
 23 prevalence of such defects; and

24 “(2) to operate regional centers for the conduct
 25 of applied epidemiological research on the prevention
 26 of such defects.

1 ~~“(b) ADDITIONAL PROVISIONS REGARDING COLLEC-~~
2 ~~TION OF DATA.—~~

3 ~~“(1) IN GENERAL.—In carrying out subsection~~
4 ~~(a)(1), the Secretary—~~

5 ~~“(A) shall collect and analyze data by gen-~~
6 ~~der and by racial and ethnic group, including~~
7 ~~Hispanics, non-Hispanic whites, Blacks, Native~~
8 ~~Americans, Asian Americans, and Pacific Is-~~
9 ~~landers;~~

10 ~~“(B) shall collect data under subparagraph~~
11 ~~(A) from birth certificates, death certificates,~~
12 ~~hospital records, and such other sources as the~~
13 ~~Secretary determines to be appropriate; and~~

14 ~~“(C) shall encourage States to establish or~~
15 ~~improve programs for the collection and analy-~~
16 ~~sis of epidemiological data on birth defects, and~~
17 ~~to make the data available.~~

18 ~~“(2) NATIONAL CLEARINGHOUSE.—In carrying~~
19 ~~out subsection (a)(1), the Secretary shall establish~~
20 ~~and maintain a National Information Clearinghouse~~
21 ~~on Birth Defects to collect and disseminate to health~~
22 ~~professionals and the general public information on~~
23 ~~birth defects, including the prevention of such de-~~
24 ~~fects.~~

25 ~~“(c) GRANTS AND CONTRACTS.—~~

1 ~~“(1) IN GENERAL.—~~In carrying out subsection
2 ~~(a),~~ the Secretary may make grants to and enter
3 into contracts with public and nonprofit private enti-
4 ties.

5 ~~“(2) SUPPLIES AND SERVICES IN LIEU OF~~
6 ~~AWARD FUNDS.—~~

7 ~~“(A) Upon the request of a recipient of an~~
8 award of a grant or contract under paragraph
9 ~~(1),~~ the Secretary may, subject to subparagraph
10 ~~(B),~~ provide supplies, equipment, and services
11 for the purpose of aiding the recipient in carry-
12 ing out the purposes for which the award is
13 made and, for such purposes, may detail to the
14 recipient any officer or employee of the Depart-
15 ment of Health and Human Services.

16 ~~“(B) With respect to a request described~~
17 in subparagraph ~~(A),~~ the Secretary shall reduce
18 the amount of payments under the award in-
19 volved by an amount equal to the costs of de-
20 tailing personnel and the fair market value of
21 any supplies, equipment, or services provided by
22 the Secretary. The Secretary shall, for the pay-
23 ment of expenses incurred in complying with
24 such request, expend the amounts withheld.

1 ~~“(3) APPLICATION FOR AWARD.—~~The Secretary
2 may make an award of a grant or contract under
3 paragraph ~~(1)~~ only if an application for the award
4 is submitted to the Secretary and the application is
5 in such form, is made in such manner, and contains
6 such agreements, assurances, and information as the
7 Secretary determines to be necessary to carry out
8 the purposes for which the award is to be made.

9 ~~“(d) BIENNIAL REPORT.—~~Not later than February
10 ~~1~~ of fiscal year 1997 and of every second such year there-
11 after, the Secretary shall submit to the Committee on En-
12 ergy and Commerce of the House of Representatives, and
13 the Committee on Labor and Human Resources of the
14 Senate, a report that, with respect to the preceding ~~2~~ fis-
15 cal years—

16 ~~“(1)~~ contains information regarding the inci-
17 dence and prevalence of birth defects and the extent
18 to which birth defects have contributed to the inci-
19 dence and prevalence of infant mortality;

20 ~~“(2)~~ contains information under paragraph ~~(1)~~
21 that is specific to various racial and ethnic groups
22 (including Hispanics, non-Hispanic whites, Blacks,
23 Native Americans, and Asian Americans);

1 ~~“(3)~~ contains an assessment of the extent to
2 which various approaches of preventing birth defects
3 have been effective;

4 ~~“(4)~~ describes the activities carried out under
5 this section; and

6 ~~“(5)~~ contains any recommendations of the Sec-
7 retary regarding this section.”.

8 **SEC. 302. TRAUMATIC BRAIN INJURY.**

9 ~~(a)~~ PROGRAMS OF NATIONAL INSTITUTES OF
10 HEALTH.—Section 1261 of the Public Health Service Act
11 (42 U.S.C. 300d–61) is amended—

12 ~~(1)~~ in subsection ~~(d)~~—

13 ~~(A)~~ in paragraph ~~(2)~~, by striking “and”
14 after the semicolon at the end;

15 ~~(B)~~ in paragraph ~~(3)~~, by striking the pe-
16 riod and inserting “; and”; and

17 ~~(C)~~ by adding at the end the following
18 paragraph:

19 ~~“(4)~~ the authority to make awards of grants or
20 contracts to public or nonprofit private entities for
21 the conduct of basic and applied research regarding
22 traumatic brain injury, which research may in-
23 clude—

24 ~~“(A)~~ the development of new methods and
25 modalities for the more effective diagnosis,

1 measurement of degree of injury, post-injury
2 monitoring and prognostic assessment of head
3 injury for acute, subacute and later phases of
4 care;

5 “(B) the development, modification and
6 evaluation of therapies that retard, prevent or
7 reverse brain damage after acute head injury,
8 that arrest further deterioration following in-
9 jury and that provide the restitution of function
10 for individuals with long-term injuries;

11 “(C) the development of research on a con-
12 tinuum of care from acute care through reha-
13 bilitation, designed, to the extent practicable, to
14 integrate rehabilitation and long-term outcome
15 evaluation with acute care research; and

16 “(D) the development of programs that in-
17 crease the participation of academic centers of
18 excellence in head injury treatment and reha-
19 bilitation research and training.”; and

20 (2) in subsection (h), by adding at the end the
21 following paragraph:

22 “(4) The term ‘traumatic brain injury’ means
23 an acquired injury to the brain. Such term does not
24 include brain dysfunction caused by congenital or
25 degenerative disorders, nor birth trauma, but may

1 include brain injuries caused by anoxia due to near
2 drowning.”.

3 (b) PROGRAMS OF HEALTH RESOURCES AND SERV-
4 ICES ADMINISTRATION.—Part E of title XII of the Public
5 Health Service Act (42 U.S.C. 300d–51 et seq.) is amend-
6 ed by adding at the end the following new section:

7 **“§1252. State grants for demonstration projects re-**
8 **garding traumatic brain injury**

9 “(a) IN GENERAL.—The Secretary, acting through
10 the Administrator of the Health Resources and Services
11 Administration, may make grants to States for the pur-
12 pose of carrying out demonstration projects to improve the
13 availability of health services regarding traumatic brain
14 injury.

15 “(b) STATE ADVISORY BOARD.—

16 “(1) IN GENERAL.—The Secretary may make a
17 grant under subsection (a) only if the State involved
18 agrees to establish an advisory board within the ap-
19 propriate health department of the State or within
20 another department as designated by the chief exec-
21 utive officer of the State.

22 “(2) FUNCTIONS.—An advisory board estab-
23 lished under paragraph (1) shall be cognizant of
24 findings and concerns of Federal, State and local
25 agencies, citizens groups, and private industry (such

1 as insurance, health care, automobile, and other in-
2 dustry entities). Such advisory boards shall encour-
3 age citizen participation through the establishment
4 of public hearings and other types of community
5 outreach programs.

6 ~~“(3) COMPOSITION.—An advisory board estab-~~
7 ~~lished under paragraph (1) shall be composed of—~~

8 ~~“(A) representatives of—~~

9 ~~“(i) the corresponding State agencies~~
10 ~~involved;~~

11 ~~“(ii) public and nonprofit private~~
12 ~~health related organizations;~~

13 ~~“(iii) other disability advisory or plan-~~
14 ~~ning groups within the State;~~

15 ~~“(iv) members of an organization or~~
16 ~~foundation representing traumatic brain~~
17 ~~injury survivors in that State; and~~

18 ~~“(v) injury control programs at the~~
19 ~~State or local level if such programs exist;~~
20 ~~and~~

21 ~~“(B) a substantial number of individuals~~
22 ~~who are survivors of traumatic brain injury, or~~
23 ~~the family members of such individuals.~~

24 ~~“(c) MATCHING FUNDS.—~~

1 ~~“(1) IN GENERAL.—~~With respect to the costs to
2 be incurred by a State in carrying out the purpose
3 described in subsection (a), the Secretary may make
4 a grant under such subsection only if the State
5 agrees to make available, in cash, non-Federal con-
6 tributions toward such costs in an amount that is
7 not less than \$1 for each \$2 of Federal funds pro-
8 vided under the grant.

9 ~~“(2) DETERMINATION OF AMOUNT CONTRIB-~~
10 ~~UTED.—~~In determining the amount of non-Federal
11 contributions in cash that a State has provided pur-
12 suant to paragraph (1), the Secretary may not in-
13 clude any amounts provided to the State by the Fed-
14 eral Government.

15 ~~“(d) APPLICATION FOR GRANT.—~~The Secretary may
16 make a grant under subsection (a) only if an application
17 for the grant is submitted to the Secretary and the appli-
18 cation is in such form, is made in such manner, and con-
19 tains such agreements, assurances, and information as the
20 Secretary determines to be necessary to carry out this sec-
21 tion.

22 ~~“(e) COORDINATION OF ACTIVITIES.—~~The Secretary
23 shall ensure that activities under this section are coordi-
24 nated as appropriate with other agencies of the Public

1 Health Service that carry out activities regarding trau-
2 matic brain injury.

3 “(f) REPORT.—Not later than 2 years after the date
4 of enactment of this section, the Secretary shall submit
5 to the Committee on Energy and Commerce of the House
6 of Representatives, and to the Committee on Labor and
7 Human Resources of the Senate, a report describing the
8 findings and results of the programs established under
9 this section, including measures of outcomes and
10 consumer and surrogate satisfaction.

11 “(g) DEFINITION.—For purposes of this section, the
12 term ‘traumatic brain injury’ means an acquired injury
13 to the brain. Such term does not include brain dysfunction
14 caused by congenital or degenerative disorders, nor birth
15 trauma, but may include brain injuries caused by anoxia
16 due to near drowning.

17 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section,
19 \$5,000,000 for fiscal year 1996, and such sums as may
20 be necessary for each of the fiscal years 1997 and 1998.”.

21 (c) STUDY; CONSENSUS CONFERENCE.—

22 (1) STUDY.—

23 (A) IN GENERAL.—The Secretary of
24 Health and Human Services (in this subsection
25 referred to as the “Secretary”), acting through

1 the appropriate agencies of the Public Health
2 Service, shall conduct a study for the purpose
3 of carrying out the following with respect to
4 traumatic brain injury:

5 (i) In collaboration with appropriate
6 State and local health-related agencies—

7 (I) determine the incidence and
8 prevalence of traumatic brain injury;
9 and

10 (II) develop a uniform reporting
11 system under which States report inci-
12 dence of traumatic brain injury, if the
13 Secretary determines that such a sys-
14 tem is appropriate.

15 (ii) Identify common therapeutic
16 interventions which are used for the reha-
17 bilitation of individuals with such injuries,
18 and shall, subject to the availability of in-
19 formation, include an analysis of—

20 (I) the effectiveness of each such
21 intervention in improving the func-
22 tioning of individuals with brain inju-
23 ries;

24 (II) the comparative effectiveness
25 of interventions employed in the

1 course of rehabilitation of individuals
2 with brain injuries to achieve the
3 same or similar clinical outcome; and

4 (III) the adequacy of existing
5 measures of outcomes and knowledge
6 of factors influencing differential out-
7 comes.

8 (iii) Develop practice guidelines for
9 the rehabilitation of traumatic brain injury
10 at such time as appropriate scientific re-
11 search becomes available.

12 ~~(B) DATES CERTAIN FOR REPORTS.—~~

13 (i) Not later than 18 months after the
14 date of enactment of this Act, the Sec-
15 retary shall submit to the Committee on
16 Commerce of the House of Representa-
17 tives, and to the Committee on Labor and
18 Human Resources of the Senate, a report
19 describing the findings made as a result of
20 carrying out subparagraph (A)(i).

21 (ii) Not later than 3 years after the
22 date of enactment of this Act, the Sec-
23 retary shall submit to the Committees
24 specified in clause (i) a report describing
25 the findings made as a result of carrying

1 out clauses (ii) and (iii) of subparagraph
2 (A).

3 ~~(2) CONSENSUS CONFERENCE.~~—The Secretary,
4 acting through the Director of the National Center
5 for Medical Rehabilitation Research within the Na-
6 tional Institute for Child Health and Human Devel-
7 opment, shall conduct a national consensus con-
8 ference on managing traumatic brain injury and re-
9 lated rehabilitation concerns.

10 ~~(3) DEFINITION.~~—For purposes of this sub-
11 section, the term “traumatic brain injury” means an
12 acquired injury to the brain. Such term does not in-
13 clude brain dysfunction caused by congenital or de-
14 generative disorders, nor birth trauma, but may in-
15 clude brain injuries caused by anoxia due to near
16 drowning.

17 **SEC. 303. STATE OFFICES OF RURAL HEALTH.**

18 ~~(a) IN GENERAL.~~—Section 338M of the Public
19 Health Service Act (as so redesignated by section 132)
20 is amended—

21 (1) in subsection (b)(1), in the matter preced-
22 ing subparagraph (A), by striking “in cash”; and

23 (2) in subsection (j)(1)—

24 (A) by striking “and” after “1992,”; and

1 (B) by inserting before the period the fol-
 2 lowing: “, and such sums as may be necessary
 3 for each of the fiscal years 1996 through
 4 1997”; and

5 (3) in subsection (k), by striking
 6 “\$10,000,000” and inserting “\$20,000,000”.

7 (b) REPEAL.—Effective on October 1, 1997, section
 8 338M of the Public Health Service Act (as so redesignated
 9 by section 132) is repealed.

10 **SEC. 304. HEALTH SERVICES FOR PACIFIC ISLANDERS.**

11 Section 10 of the Disadvantaged Minority Health Im-
 12 provement Act of 1990 (42 U.S.C. 254c-1) is amended—

13 (1) in subsection (b)—

14 (A) in paragraph (2)—

15 (i) by inserting “, substance abuse”
 16 after “availability of health”; and

17 (ii) by striking “, including improved
 18 health data systems”;

19 (B) in paragraph (3)—

20 (i) by striking “manpower” and in-
 21 serting “care providers”; and

22 (ii) by striking “by—” and all that
 23 follows through the end thereof and insert-
 24 ing a semicolon;

25 (C) by striking paragraphs (5) and (6);

1 (D) by redesignating paragraphs (7), and
2 (8) as paragraphs (5) and (6), respectively;

3 (E) in paragraph (5) (as so redesignated),
4 by striking “and” at the end thereof;

5 (F) in paragraph (6) (as so redesignated),
6 by striking the period and inserting a semi-
7 colon; and

8 (G) by inserting after paragraph (6) (as so
9 redesignated), the following new paragraphs:

10 “(7) to provide primary health care, preventive
11 health care, and related training to American Sa-
12 moan health care professionals; and

13 “(8) to improve access to health promotion and
14 disease prevention services for rural American
15 Samoa.”;

16 (2) in subsection (f)—

17 (A) by striking “there is” and inserting
18 “there are”; and

19 (B) by striking “\$10,000,000” and all that
20 follows through “1993” and inserting
21 “\$3,000,000 for fiscal year 1995, \$4,000,000
22 for fiscal year 1996, and \$5,000,000 for fiscal
23 year 1997”; and

24 (3) by adding at the end thereof the following
25 new subsection:

1 (A) by inserting after “disorders” the fol-
2 lowing: “who are living in single family homes
3 or in congregate settings”; and

4 (B) by striking “and” at the end;

5 (3) by redesignating paragraph (3) as para-
6 graph (4); and

7 (4) by inserting after paragraph (2) the follow-
8 ing:

9 “(3) to improve the access of such individuals
10 to home-based or community-based long-term care
11 services (subject to the services being provided by
12 entities that were providing such services in the
13 State involved as of October 1, 1995), particularly
14 such individuals who are members of racial or ethnic
15 minority groups, who have limited proficiency in
16 speaking the English language, or who live in rural
17 areas; and”.

18 (b) DURATION.—Section 398A of the Public Health
19 Service Act (42 U.S.C. 280c-4) is amended—

20 (1) in the heading for the section, by striking
21 “**limitation**” and all that follows and inserting
22 “**requirement of matching funds**”;

23 (2) by striking subsection (a);

24 (3) by redesignating subsections (b) and (c) as
25 subsections (a) and (b), respectively;

1 (4) in subsection (a) (as so redesignated), in
 2 each of paragraphs (1)(C) and (2)(C), by striking
 3 “third year” and inserting “third or subsequent
 4 year”.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
 6 398B(e) of the Public Health Service Act (42 U.S.C.
 7 280c-5(e)) is amended by striking “and 1993” and insert-
 8 ing “through 1998”.

9 **TITLE IV—MISCELLANEOUS** 10 **PROVISIONS**

11 **SEC. 401. TECHNICAL CORRECTIONS REGARDING PUBLIC**

12 **LAW 103-183.**

13 (a) AMENDATORY INSTRUCTIONS.—Public Law 103-
 14 183 is amended—

15 (1) in section 601—

16 (A) in subsection (b), in the matter preced-
 17 ing paragraph (1), by striking “Section 1201 of
 18 the Public Health Service Act (42 U.S.C.
 19 300d)” and inserting “Title XII of the Public
 20 Health Service Act (42 U.S.C. 300d et seq.)”;
 21 and

22 (B) in subsection (f)(1), by striking “in
 23 section 1204(c)” and inserting “in section
 24 1203(c) (as redesignated by subsection (b)(2) of
 25 this section)”;

1 (2) in section 602, by striking “for the pur-
2 pose” and inserting “For the purpose”; and

3 (3) in section 705(b), by striking “317D(l)(1)”
4 and inserting “317D(l)(1)”.

5 (b) PUBLIC HEALTH SERVICE ACT.—The Public
6 Health Service Act, as amended by Public Law 103–183
7 and by subsection (a) of this section, is amended—

8 (1) in section 317E(g)(2), by striking “making
9 grants under subsection (b)” and inserting “carrying
10 out subsection (b)”;

11 (2) in section 318, in subsection (e) as in effect
12 on the day before the date of the enactment of Pub-
13 lic Law 103–183, by redesignating the subsection as
14 subsection (f);

15 (3) in subpart 6 of part C of title IV—

16 (A) by transferring the first section 447
17 (added by section 302 of Public Law 103–183)
18 from the current placement of the section;

19 (B) by redesignating the section as section
20 447A; and

21 (C) by inserting the section after section
22 447;

23 (4) in section 1213(a)(8), by striking “provides
24 for for” and inserting “provides for”;

1 (5) in section 1501, by redesignating the second
2 subsection (c) (added by section 101(f) of Public
3 Law 103–183) as subsection (d); and

4 (6) in section 1505(3), by striking “nonprofit”.

5 (c) MISCELLANEOUS CORRECTION.—Section
6 401(c)(3) of Public Law 103–183 is amended in the mat-
7 ter preceding subparagraph (A) by striking “(d)(5)” and
8 inserting “(e)(5)”.

9 (d) EFFECTIVE DATE.—This section is deemed to
10 have taken effect immediately after the enactment of Pub-
11 lic Law 103–183.

12 **SEC. 402. CERTAIN AUTHORITIES OF CENTERS FOR DIS-**
13 **EASE CONTROL AND PREVENTION.**

14 (a) IN GENERAL.—Part B of title III of the Public
15 Health Service Act is amended by inserting after section
16 317H the following section:

17 “MISCELLANEOUS AUTHORITIES REGARDING CENTERS
18 FOR DISEASE CONTROL AND PREVENTION

19 “SEC. 317I. (a) TECHNICAL AND SCIENTIFIC PEER
20 REVIEW GROUPS.—The Secretary, acting through the Di-
21 rector of the Centers for Disease Control and Prevention,
22 may, without regard to the provisions of title 5, United
23 States Code, governing appointments in the competitive
24 service, and without regard to the provisions of chapter
25 51 and subchapter III of chapter 53 of such title relating
26 to classification and General Schedule pay rates, establish

1 such technical and scientific peer review groups and sci-
2 entific program advisory committees as are needed to
3 carry out the functions of such Centers and appoint and
4 pay the members of such groups, except that officers and
5 employees of the United States shall not receive additional
6 compensation for service as members of such groups. The
7 Federal Advisory Committee Act shall not apply to the
8 duration of such peer review groups. Not more than one-
9 fourth of the members of any such group shall be officers
10 or employees of the United States.

11 “(b) FELLOWSHIP AND TRAINING PROGRAMS.—The
12 Secretary, acting through the Director of the Centers for
13 Disease Control and Prevention, shall establish fellowship
14 and training programs to be conducted by such Centers
15 to train individuals to develop skills in epidemiology, sur-
16 veillance, laboratory analysis, and other disease detection
17 and prevention methods. Such programs shall be designed
18 to enable health professionals and health personnel trained
19 under such programs to work, after receiving such train-
20 ing, in local, State, national, and international efforts to-
21 ward the prevention and control of diseases, injuries, and
22 disabilities. Such fellowships and training may be adminis-
23 tered through the use of either appointment or
24 nonappointment procedures.”.

1 (b) ~~EFFECTIVE DATE.~~—This section is deemed to
2 have taken effect July 1, 1995.

3 **SEC. 403. ADMINISTRATION OF CERTAIN REQUIREMENTS.**

4 (a) ~~IN GENERAL.~~—Section 2004 of Public Law 103–
5 43 (107 Stat. 209) is amended by striking subsection (a).

6 (b) ~~CONFORMING AMENDMENTS.~~—Section 2004 of
7 Public Law 103–43, as amended by subsection (a) of this
8 section, is amended—

9 (1) by striking “(b) ~~SENSE~~” and all that follows
10 through “In the case” and inserting the following:

11 “(a) ~~SENSE OF CONGRESS REGARDING PURCHASE~~
12 ~~OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.~~—In
13 the case”;

14 (2) by striking “(2) ~~NOTICE TO RECIPIENTS OF~~
15 ~~ASSISTANCE~~” and inserting the following:

16 “(b) ~~NOTICE TO RECIPIENTS OF ASSISTANCE~~”; and

17 (3) in subsection (b), as redesignated by para-
18 graph (2) of this subsection, by striking “paragraph
19 (1)” and inserting “subsection (a)”.

20 (c) ~~EFFECTIVE DATE.~~—This section is deemed to
21 have taken effect immediately after the enactment of Pub-
22 lic Law 103–43.

1 **SEC. 404. TECHNICAL CORRECTIONS RELATING TO HEALTH**
 2 **PROFESSIONS PROGRAMS.**

3 (a) DEFINITIONS.—Section 799B(6) of the Public
 4 Health Service Act (as so redesignated by section
 5 105(a)(2)(C)) is amended—

6 (1) in subparagraph (B) by striking “; or” at
 7 the end thereof;

8 (2) in subparagraph (C) by striking the period
 9 and inserting a semicolon; and

10 (3) by adding at the end thereof the following:

11 “(D) ambulatory practice sites designated
 12 by State Governors as shortage areas or medi-
 13 cally underserved communities for purposes of
 14 State scholarships or loan repayment or related
 15 programs; or

16 “(E) practices or facilities in which not
 17 less than 50 percent of the patients are recipi-
 18 ents of aid under title XIX of the Social Secu-
 19 rity Act or eligible and uninsured.”.

20 (b) RECOVERY.—Part G of title VII of the Public
 21 Health Service Act (42 U.S.C. 295j et seq.) is amended
 22 by inserting after section 794 the following section:

23 **“§ 794a. Recovery**

24 “(a) IN GENERAL.—If at any time within 20 years
 25 (or within such shorter period as the Secretary may pre-
 26 scribe by regulation for an interim facility) after the com-

1 pletion of construction of a facility with respect to which
2 funds have been paid under section 720(a) (as such sec-
3 tion existed one day prior to the date of enactment of the
4 Health Professions Education Extension Amendments of
5 1992 (Public Law 102-408)—

6 “(1)(A) in case of a facility which was an affili-
7 ated hospital or outpatient facility with respect to
8 which funds have been paid under such section
9 720(a)(1), the owner of the facility ceases to be a
10 public or other nonprofit agency that would have
11 been qualified to file an application under section
12 605;

13 “(B) in case of a facility which was not an af-
14 filiated hospital or outpatient facility but was a facil-
15 ity with respect to which funds have been paid under
16 paragraph (1) or (3) of such section 720(a), the
17 owner of the facility ceases to be a public or non-
18 profit school, or

19 “(C) in case of a facility which was a facility
20 with respect to which funds have been paid under
21 such section 720(a)(2), the owner of the facility
22 ceases to be a public or nonprofit entity,

23 “(2) the facility ceases to be used for the teach-
24 ing or training purposes (or other purposes per-
25 mitted under section 722 (as such section existed

1 one day prior to the date of enactment of the Health
2 Professions Education Extension Amendments of
3 1992 (Public Law 102-408)) for which it was con-
4 structed, or

5 “(3) the facility is used for sectarian instruction
6 or as a place for religious worship,

7 the United States shall be entitled to recover from the
8 owner of the facility the base amount prescribed by sub-
9 section (c)(1) plus the interest (if any) prescribed by sub-
10 section (c)(2).

11 “(b) NOTICE.—The owner of a facility which ceases
12 to be a public or nonprofit agency, school, or entity as
13 described in subparagraph (A), (B), or (C) of subsection
14 (a)(1), as the case may be, or the owner of a facility the
15 use of which changes as described in paragraph (2) or (3)
16 of subsection (a), shall provide the Secretary written no-
17 tice of such cessation or change of use within 10 days after
18 the date on which such cessation or change of use occurs
19 or within 30 days after the date of enactment of this sub-
20 section, whichever is later.

21 “(c) AMOUNT.—

22 “(1) BASE AMOUNT.—The base amount that
23 the United States is entitled to recover under sub-
24 section (a) is the amount bearing the same ratio to
25 the then value (as determined by the agreement of

1 the parties or in an action brought in the district
2 court of the United States for the district in which
3 the facility is situated) of the facility as the amount
4 of the Federal participation bore to the cost of con-
5 struction.

6 “~~(2)~~ INTEREST.—

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

14 “~~(B)~~ PERIOD.—The period referred to in
15 subparagraph ~~(A)~~ is the period beginning—

16 “~~(i)~~ if notice is provided as prescribed
17 by subsection ~~(b)~~, 191 days after the date
18 on which the owner of the facility ceases to
19 be a public or nonprofit agency, school, or
20 entity as described in subparagraph ~~(A)~~,
21 ~~(B)~~, or ~~(C)~~ of subsection ~~(a)(1)~~, as the
22 case may be, or 191 days after the date on
23 which the use of the facility changes as de-
24 scribed in paragraph ~~(2)~~ or ~~(3)~~ of sub-
25 section ~~(a)~~, or

1 **SECTION 1. SHORT TITLE.**

2 (a) *SHORT TITLE.*—This Act may be cited as the
 3 “Health Professions Education Consolidation and Reau-
 4 thorization Act of 1995”.

5 (b) *TABLE OF CONTENTS.*—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title.

*TITLE I—HEALTH PROFESSIONS EDUCATION AND FINANCIAL
 ASSISTANCE PROGRAMS*

Subtitle A—Health Professions Education Programs

Sec. 101. Minority and disadvantaged health professions grant program.

*Sec. 102. Training in family medicine, general internal medicine, general pediat-
 rics, preventive medicine, physician assistants, and general den-
 tistry.*

Sec. 103. Enhanced health education and training.

Sec. 104. Health professions workforce development.

Sec. 105. General provisions.

Sec. 106. Preference in certain programs.

Sec. 107. Definitions.

Sec. 108. Savings provision.

Subtitle B—Nursing Education

Sec. 121. Short title.

Sec. 122. Purpose.

Sec. 123. Amendments to Public Health Service Act.

Sec. 124. Savings provision.

Subtitle C—Financial Assistance

*PART 1—NATIONAL HEALTH SERVICE CORPS FINANCIAL ASSISTANCE
 PROGRAMS*

Sec. 131. General amendments with respect to federally supported loans.

Sec. 132. Restructuring and technical amendments.

Sec. 133. Definition of underserved areas.

Sec. 134. Conforming amendments.

PART 2—SCHOOL-BASED REVOLVING LOAN FUNDS

Sec. 135. Primary care loan program.

Sec. 136. Loans for disadvantaged students.

Sec. 137. Student loans regarding schools of nursing.

Sec. 138. General provisions.

PART 3—INSURED HEALTH EDUCATION ASSISTANCE LOANS TO GRADUATE STUDENTS

- Sec. 141. Health education assistance loan program.*
Sec. 142. HEAL lender and holder performance standards.
Sec. 143. Reauthorization.

PART 4—SCHOLARSHIPS FOR DISADVANTAGED STUDENTS

- Sec. 151. Scholarships for disadvantaged students.*

TITLE II—OFFICE OF MINORITY HEALTH

- Sec. 201. Revision and extension of programs of Office of Minority Health.*

TITLE III—SELECTED INITIATIVES

- Sec. 301. Programs regarding birth defects.*
Sec. 302. Traumatic brain injury.
Sec. 303. State offices of rural health.
Sec. 304. Health services for Pacific Islanders.
Sec. 305. Demonstration projects regarding Alzheimer's Disease.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Technical corrections regarding Public Law 103-183.*
Sec. 402. Certain authorities of Centers for Disease Control and Prevention.
Sec. 403. Administration of certain requirements.
Sec. 404. Technical corrections relating to health professions programs.
Sec. 405. Clinical traineeships.
Sec. 406. Construction of regional centers for research on primates.
Sec. 407. Required consultation by Secretary.

1 ***TITLE I—HEALTH PROFESSIONS***
 2 ***EDUCATION AND FINANCIAL***
 3 ***ASSISTANCE PROGRAMS***

4 ***Subtitle A—Health Professions***
 5 ***Education Programs***

6 ***SEC. 101. MINORITY AND DISADVANTAGED HEALTH PRO-***
 7 ***FESSIONS GRANT PROGRAM.***

8 (a) *IN GENERAL.*—Part B of title VII of the Public
 9 Health Service Act (42 U.S.C. 293 et seq.) is amended to
 10 read as follows:

1 **“PART B—DISADVANTAGED HEALTH**
2 **PROFESSIONS TRAINING**

3 **“SEC. 736. STATEMENT OF PURPOSE.**

4 “(a) *IN GENERAL.*—The Secretary shall make grants
5 to or enter into contracts with eligible entities for the pur-
6 pose of establishing, enhancing, and expanding programs
7 to increase the number and the quality of disadvantaged
8 health professionals, particularly those who provide health
9 services to disadvantaged populations or in medically un-
10 derserved areas or rural areas.

11 “(b) *USE OF FUNDS.*—Amounts provided under a
12 grant or contract awarded under this part may be used for
13 costs of planning, developing, or operating centers of excel-
14 lence in minority health professions education, programs
15 for assisting individuals from disadvantaged backgrounds
16 to enter a health profession, minority faculty development,
17 minority faculty loan repayment or fellowships, trainee
18 support, technical assistance, workforce analysis, and dis-
19 semination of information.

20 “(c) *CONSORTIUM.*—Schools within a consortium that
21 applies for a grant or contract under this part shall enter
22 into an agreement to allocate the funds received under the
23 grant or contract among such schools and expend such
24 funds in accordance with the application for such grant or
25 contract.

1 **“SEC. 737. PREFERENCES.**

2 *“In awarding grants or contracts to eligible entities*
3 *under this part, the Secretary shall give preference to—*

4 *“(1) projects that involve more than one health*
5 *professions discipline or training institution and*
6 *have an above average record of retention and grad-*
7 *uation of individuals from disadvantaged back-*
8 *grounds; and*

9 *“(2) centers of excellence at Historically Black*
10 *Colleges and Universities (as defined in section 739)*
11 *beginning in fiscal year 1999 and for each fiscal year*
12 *thereafter.*

13 **“SEC. 738. AUTHORIZATION OF APPROPRIATION.**

14 *“(a) IN GENERAL.—There are authorized to be appro-*
15 *priated to carry out this part, \$51,000,000 for fiscal year*
16 *1996, and such sums as may be necessary for each of the*
17 *fiscal years 1997 through 1999.*

18 *“(b) SET-ASIDE.—With respect to each of the fiscal*
19 *years 1996, 1997 and 1998, the Secretary shall set-aside*
20 *\$12,000,000 of the amount appropriated under subsection*
21 *(a) in each such fiscal year for the purpose of making*
22 *grants under section 736 to centers of excellence at certain*
23 *Historically Black Colleges and Universities.*

24 *“(c) NO LIMITATION.—Nothing in this section shall be*
25 *construed as limiting the centers of excellence referred to*

1 *in subsection (b) to the set-aside amount, or to preclude such*
2 *entities from competing for other grants under section 736.*

3 ***“SEC. 739. DEFINITIONS.***

4 *“As used in this part:*

5 *“(1) CENTERS OF EXCELLENCE.—The term ‘cen-*
6 *ters of excellence’ means a health professions school*
7 *that—*

8 *“(A)(i) has a significant number of minor-*
9 *ity individuals enrolled in the school, including*
10 *individuals accepted for enrollment in the school;*

11 *“(ii) has been effective in assisting minority*
12 *students of the school to complete the program of*
13 *education and receive the degree involved;*

14 *“(iii) has been effective in recruiting minor-*
15 *ity individuals to attend the school and encour-*
16 *aging minority students of secondary edu-*
17 *cational institutions to attend the health profes-*
18 *sions school; and*

19 *“(iv) has made significant recruitment ef-*
20 *forts to increase the number of minority individ-*
21 *uals serving in faculty or administrative posi-*
22 *tions at the school; or*

23 *“(B) is a center of excellence at certain His-*
24 *torically Black Colleges and Universities.*

1 “(2) *CONSORTIUM.*—The term ‘consortium’
2 means the designated eligible entity seeking a grant
3 under this part and one or more schools of medicine,
4 osteopathic medicine, dentistry, pharmacy, nursing,
5 allied health, public health, or graduate programs in
6 mental health practice.

7 “(3) *ELIGIBLE ENTITIES.*—The term ‘eligible en-
8 tities’ means schools of medicine, osteopathic medi-
9 cine, dentistry, pharmacy, podiatric medicine, optom-
10 etry, veterinary medicine, public health, or allied
11 health or schools offering graduate programs in men-
12 tal health practice, State or local governments, and
13 other public or nonprofit private entities determined
14 appropriate by the Secretary that submit to the Sec-
15 retary an application.

16 “(4) *HISTORICALLY BLACK COLLEGES AND UNI-*
17 *VERSITIES.*—The term ‘Historically Black Colleges
18 and Universities’ means a school described in section
19 799B(1) that has received a contract under section
20 788B for fiscal year 1987, as such section was in ef-
21 fect for such fiscal year.”.

22 (b) *REPEAL.*—

23 (1) *IN GENERAL.*—Section 795 of the Public
24 Health Service Act (42 U.S.C. 295n) is repealed.

1 (2) *NONTERMINATION OF AUTHORITY.*—The
 2 amendments made by this section shall not be con-
 3 strued to terminate agreements that, on the day before
 4 the date of enactment of this Act, are in effect pursu-
 5 ant to section 795 of the Public Health Service Act
 6 (42 U.S.C. 795) as such section existed on such date.
 7 Such agreements shall continue in effect in accord-
 8 ance with the terms of the agreements. With respect
 9 to compliance with such agreements, any period of
 10 practice as a provider of primary health services shall
 11 be counted towards the satisfaction of the requirement
 12 of practice pursuant to such section 795.

13 (c) *CONFORMING AMENDMENTS.*—Section
 14 481A(c)(3)(D)(i) of the Public Health Service Act (42
 15 U.S.C. 287a-2(c)(3)(D)(i)) is amended by striking “section
 16 739” and inserting “part B of title VII”.

17 **SEC. 102. TRAINING IN FAMILY MEDICINE, GENERAL INTER-**
 18 **NAL MEDICINE, GENERAL PEDIATRICS, PRE-**
 19 **VENTIVE MEDICINE, PHYSICIAN ASSISTANTS,**
 20 **AND GENERAL DENTISTRY.**

21 Part C of title VII of the Public Health Service Act
 22 (42 U.S.C. 293 et seq.) is amended—

23 (1) in the part heading by striking “PRIMARY
 24 HEALTH CARE” and inserting “FAMILY MEDI-
 25 CINE, GENERAL INTERNAL MEDICINE, GEN-

1 *ERAL PEDIATRICS, PREVENTIVE MEDICINE,*
2 *PHYSICIAN ASSISTANTS, AND GENERAL DEN-*
3 *TISTRY”;*

4 (2) *by repealing section 746 and sections 748*
5 *through 752 (42 U.S.C. 293j and 293l through 293p);*
6 *and*

7 (3) *in section 747 (42 U.S.C. 293k)—*

8 (A) *by striking the section heading and in-*
9 *serting the following:*

10 ***“SEC. 747. FAMILY MEDICINE, GENERAL INTERNAL MEDI-***
11 ***CINE, GENERAL PEDIATRICS, PREVENTIVE***
12 ***MEDICINE, GENERAL DENTISTRY, AND PHYSI-***
13 ***CIAN ASSISTANTS.”;***

14 (B) *in subsection (a)—*

15 (i) *in paragraph (1)—*

16 (I) *by inserting “, internal medi-*
17 *cine, or pediatrics” after “family med-*
18 *icine”;* *and*

19 (II) *by inserting before the semi-*
20 *colon the following: “that emphasizes*
21 *training for the practice of family*
22 *medicine, general internal medicine, or*
23 *general pediatrics (as defined by the*
24 *Secretary)”;*

1 (ii) in paragraph (2), by inserting “,
2 general internal medicine, or general pedi-
3 atrics” before the semicolon;

4 (iii) in paragraphs (3) and (4), by in-
5 serting “, general internal medicine (includ-
6 ing geriatrics), or general pediatrics” after
7 “family medicine”;

8 (iv) in paragraphs (3) and (4), by in-
9 serting “(including geriatrics) after “family
10 medicine”;

11 (v) in paragraph (3), by striking
12 “and” at the end thereof;

13 (vi) in paragraph (4), by striking the
14 period and inserting a semicolon; and

15 (vii) by adding at the end thereof the
16 following new paragraphs:

17 “(5) to meet the costs of projects to plan, develop,
18 and operate or maintain programs for the training of
19 physician assistants (as defined in section 799B), and
20 for the training of individuals who will teach in pro-
21 grams to provide such training;

22 “(6) to meet the costs of projects—

23 “(A) to plan and develop new residency
24 training programs and to maintain or improve
25 existing residency training programs in preven-

1 *tive medicine, that have available full-time fac-*
2 *ulty members with training and experience in*
3 *the fields of preventive medicine; and*

4 *“(B) to provide financial assistance to resi-*
5 *dency trainees enrolled in such programs; and*

6 *“(7) to meet the costs of planning, developing, or*
7 *operating programs, and to provide financial assist-*
8 *ance to residents in such programs, that would lead*
9 *to a significantly greater ratio of participating indi-*
10 *viduals in such programs eventually entering practice*
11 *in general dentistry in rural and medically under-*
12 *served communities compared to the current ratio of*
13 *all dentists nationally practicing general dentistry in*
14 *rural and medically underserved communities.*

15 *For purposes of paragraph (7), entities eligible for such*
16 *grants or contracts shall include entities that have pro-*
17 *grams in dental schools, approved residency programs in*
18 *the general practice of dentistry, or approved advanced edu-*
19 *cation programs in the general practice of dentistry. The*
20 *Secretary may only fund programs under such paragraph*
21 *if such programs provide a significant amount of care for*
22 *underserved populations and other high-risk groups, and if*
23 *the Secretary determines that there is a national shortage*
24 *of general dentists.”;*

1 (C) in paragraphs (1) and (2)(A) of sub-
2 section (b), by inserting “, general internal med-
3 icine, or general pediatrics” after “family medi-
4 cine”;

5 (D) by redesignating subsections (c) and (d)
6 as subsections (d) and (e), respectively;

7 (E) by inserting after subsection (b), the fol-
8 lowing new subsection:

9 “(c) *PRIORITY AND LIMITATION.*—

10 “(1) *PRIORITY.*—With respect to programs for
11 the training of interns or residents, the Secretary
12 shall give priority in awarding grants under this sec-
13 tion to qualified applicants that have a record of
14 training the greatest percentage of providers, or that
15 have demonstrated significant improvements in the
16 percentage of providers, which enter and remain in
17 primary care practice or general dentistry upon com-
18 pletion of their first period of training required to ob-
19 tain initial board certification. Each program shall
20 designate the primary care training or general den-
21 tistry positions that such program shall provide with
22 grant funding to support and for which such program
23 shall be held accountable regarding the primary care
24 or general dentistry requirement set forth in this sec-
25 tion.

1 “(2) *LIMITATION.*—*With respect to programs for*
2 *the training and education of medical students, the*
3 *Secretary may only provide grants or contracts under*
4 *this section to administrative units in general pediat-*
5 *rics or general internal medicine if a qualified ad-*
6 *ministrative unit applicant demonstrates that its*
7 *medical school has—*

8 “(A) *a mission statement that has a pri-*
9 *mary care medical education objective;*

10 “(B) *faculty role models and administrative*
11 *units in primary care; and*

12 “(C) *required undergraduate ambulatory*
13 *medical student clerkships in family medicine,*
14 *internal medicine, and pediatrics.*

15 *Where a medical school does not have an administra-*
16 *tive unit in family medicine, clerkships in family*
17 *medicine shall not be required.”; and*

18 “(F) *in subsection (e) (as so redesignated by*
19 *subparagraph (D))—*

20 *(i) in paragraph (1), by striking*
21 *“\$54,000,000” and all that follows and in-*
22 *serting “\$76,000,000 for fiscal year 1996,*
23 *and such sums as may be necessary for each*
24 *of the fiscal years 1997 through 1999.”; and*

25 *(ii) in paragraph (2)—*

1 (I) by striking “20” and inserting
2 “12”; and

3 (II) by inserting “for family med-
4 icine academic administrative units”
5 after “under subsection (b)”.

6 **SEC. 103. ENHANCED HEALTH EDUCATION AND TRAINING.**

7 Part D of title VII of the Public Health Service Act
8 (42 U.S.C. 294 et seq.) is amended to read as follows:

9 **“PART D—AREA HEALTH EDUCATION CENTERS**

10 **“SEC. 750. AREA HEALTH EDUCATION CENTERS.**

11 “(a) *IN GENERAL.*—The Secretary may award grants
12 to and enter into contracts with eligible entities for projects
13 which —

14 “(1) improve the recruitment, distribution, sup-
15 ply, quality, utilization, and efficiency of personnel
16 providing health services in urban and rural areas
17 and to populations that have demonstrated serious
18 unmet health care need;

19 “(2) encourage the regionalization of educational
20 responsibilities of the health professions schools;

21 “(3) are designed to prepare, through field place-
22 ments, preceptorships, the conduct of or affiliation
23 with community-based primary care residency pro-
24 grams, agreements with community-based organiza-
25 tions for the delivery of education and training in the

1 *health professions, and other programs, individuals to*
2 *effectively provide health services in health profes-*
3 *sional shortage areas;*

4 *“(4) conduct health professions education and*
5 *training activities consistent with national and State*
6 *priorities, including geriatrics;*

7 *“(5) encourage health promotion and disease*
8 *prevention activities;*

9 *“(6) conduct interdisciplinary training and*
10 *practice involving other health professionals;*

11 *“(7) conduct continuing education programs for*
12 *health professionals or coordinate with such pro-*
13 *grams; and*

14 *“(8) address other areas as determined appro-*
15 *priate by the Secretary.*

16 *“(b) PREFERENCES.—In awarding grants or contracts*
17 *to eligible entities under this part, the Secretary shall give*
18 *preference to projects that—*

19 *“(1) involve more than one health professions*
20 *discipline or training institution; and*

21 *“(2) have a good record of retention and gradua-*
22 *tion of individuals that enter practice in medically*
23 *underserved communities.*

24 *“(c) OTHER ELIGIBLE PROGRAMS.—*

1 “(1) *GERIATRIC EDUCATION CENTERS.*—*The Sec-*
2 *retary shall award grants or contracts under this sec-*
3 *tion for the establishment or operation of geriatric*
4 *education centers.*

5 “(2) *PUBLIC HEALTH TRAINING CENTERS.*—

6 “(A) *IN GENERAL.*—*The Secretary shall*
7 *award grants or contracts under this section for*
8 *the operation of public health training centers.*

9 “(B) *ELIGIBLE ENTITIES.*—*A public health*
10 *training center shall be an accredited school of*
11 *public health, or another public or nonprofit pri-*
12 *vate institution accredited for the provision of*
13 *graduate or specialized training in public health,*
14 *that plans, develops, operates, and evaluates*
15 *projects that are in furtherance of the goals es-*
16 *tablished by the Secretary for the year 2000 in*
17 *the areas of preventive medicine, health pro-*
18 *motion and disease prevention, or improving ac-*
19 *cess to and quality of health services in medi-*
20 *cally underserved communities.*

21 “(C) *CERTAIN REQUIREMENTS.*—*With re-*
22 *spect to a public health training center, an*
23 *award may not be made under subparagraph*
24 *(A) unless the program agrees that it—*

1 “(i) will establish or strengthen field
2 placements for students in public or non-
3 profit private health agencies or organiza-
4 tions; and

5 “(ii) will involve faculty members and
6 students in collaborative projects to enhance
7 public health services to medically under-
8 served communities.

9 “(d) *ELIGIBLE ENTITIES*.—As used in this part, the
10 term ‘eligible entities’ means schools of medicine, osteo-
11 pathic medicine, dentistry, pharmacy, podiatric medicine,
12 optometry, veterinary medicine, public health, or allied
13 health or schools offering graduate programs in mental
14 health practice or physician assistant training programs,
15 State or local governments, and other public or nonprofit
16 private entities determined appropriate by the Secretary
17 that submit to the Secretary an application.

18 “(e) *GERIATRIC EDUCATION CENTERS*.—A geriatric
19 education center shall be an accredited health professions
20 school or program that—

21 “(1) improves the training of health professionals
22 in geriatrics, including geriatric residencies,
23 traineeships, or fellowships;

1 “(2) develops and disseminates curricula relating
2 to the treatment of the health problems of elderly indi-
3 viduals;

4 “(3) supports the training and retraining of fac-
5 ulty to provide instruction in geriatrics;

6 “(4) supports continuing education of health
7 professionals who provide geriatric care; and

8 “(5) provides students with clinical training in
9 geriatrics in nursing homes, chronic and acute disease
10 hospitals, ambulatory care centers, and senior centers.

11 **“SEC. 751. AUTHORIZATION OF APPROPRIATIONS.**

12 “*There are authorized to be appropriated to carry out*
13 *this part, \$43,000,000 for fiscal year 1996, such sums as*
14 *may be necessary for each of the fiscal years 1997 and 1998,*
15 *and \$29,000,000 for fiscal year 1999.”.*

16 **SEC. 104. HEALTH PROFESSIONS WORKFORCE DEVELOP-**
17 **MENT.**

18 (a) *IN GENERAL.*—Part E of title VII of the Public
19 Health Service Act (42 U.S.C. 294n et seq.) is amended—

20 (1) *in the part heading to read as follows:*

21 **“PART E—HEALTH PROFESSIONS WORKFORCE**
22 **DEVELOPMENT”;**

23 (2) *by redesignating section 776 (42 U.S.C.*
24 *294n) as section 761; and*

1 “(2) increasing the number of individuals who
2 are pursuing a course of study in a health professions
3 field in which there is a severe shortage of health pro-
4 fessionals;

5 “(3) conducting health professions research and
6 data collection; and

7 “(4) carrying out other activities in areas deter-
8 mined appropriate by the Secretary.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—There are authorized to be
11 appropriated to carry out this section, \$16,000,000
12 for fiscal year 1996, and such sums as may be nec-
13 essary for each of the fiscal years 1997 through 1999.

14 “(2) RESERVATION.—Of the amounts appro-
15 priated under subsection (a) for a fiscal year, the Sec-
16 retary shall reserve not less than \$2,000,000 for con-
17 ducting health professions research and for carrying
18 out data collection and analysis in accordance with
19 section 792.”.

20 (b) HEALTH PROFESSIONS DATA.—The second sen-
21 tence of section 792(a) of the Public Health Service Act (42
22 U.S.C. 295k(a)) is amended—

23 (1) by striking “is authorized to” and inserting
24 “shall”; and

1 (2) by inserting “clinical social workers,” after
2 “clinical psychologists,”.

3 (c) *COUNCIL ON GRADUATE MEDICAL EDUCATION.*—
4 Section 301 of the Health Professions Education Extension
5 Amendments of 1992 (Public Law 102-408) is amended—

6 (1) in subsection (j), by striking “1995” and in-
7 serting “1999”;

8 (2) in subsection (k), by striking “1995” and in-
9 serting “1999”;

10 (3) by adding at the end thereof the following
11 new subsection:

12 “(l) *FUNDING.*—Amounts otherwise appropriated
13 under this title may be utilized by the Secretary to support
14 the activities of the Council.”;

15 (4) by transferring such section to part E of title
16 VII of the Public Health Service Act (as amended by
17 subsection (a));

18 (5) by redesignating such section as section 763;
19 and

20 (6) by inserting such section after section 762.

21 **SEC. 105. GENERAL PROVISIONS.**

22 (a) *IN GENERAL.*—

23 (1) Part F of title VII of the Public Health Serv-
24 ice Act (42 U.S.C. 295 et seq.) is repealed.

1 (2) *Part G of title VII of the Public Health Serv-*
2 *ice Act (42 U.S.C. 295j et seq.) is amended—*

3 (A) *by redesignating such part as part F;*

4 (B) *in section 791 (42 U.S.C. 295j)—*

5 (i) *by striking subsection (b); and*

6 (ii) *redesignating subsection (c) as sub-*
7 *section (b);*

8 (C) *by repealing section 793 (42 U.S.C.*
9 *295l);*

10 (D) *by repealing section 798;*

11 (E) *by redesignating section 799 as section*
12 *799B; and*

13 (F) *by inserting after section 794, the fol-*
14 *lowing new sections:*

15 ***“SEC. 796. APPLICATION.***

16 “(a) *IN GENERAL.—To be eligible to receive a grant*
17 *or contract under this title, an eligible entity shall prepare*
18 *and submit to the Secretary an application that meets the*
19 *requirements of this section, at such time, in such manner,*
20 *and containing such information as the Secretary may re-*
21 *quire.*

22 “(b) *PLAN.—An application submitted under this sec-*
23 *tion shall contain the plan of the applicant for carrying*
24 *out a project with amounts received under this title. Such*

1 *plan shall be consistent with relevant Federal, State, or re-*
2 *gional program plans.*

3 “(c) *PERFORMANCE OUTCOME STANDARDS.*—An ap-
4 *plication submitted under this section shall contain a speci-*
5 *fication by the applicant entity of performance outcome*
6 *standards that the project to be funded under the grant or*
7 *contract will be measured against. Such standards shall ad-*
8 *dress relevant health workforce needs that the project will*
9 *meet. The recipient of a grant or contract under this section*
10 *shall meet the standards set forth in the grant or contract*
11 *application.*

12 “(d) *LINKAGES.*—An application submitted under this
13 *section shall contain a description of the linkages with rel-*
14 *evant educational and health care entities, including train-*
15 *ing programs for other health professionals as appropriate,*
16 *that the project to be funded under the grant or contract*
17 *will establish.*

18 **“SEC. 797. USE OF FUNDS.**

19 “(a) *IN GENERAL.*—Amounts provided under a grant
20 *or contract awarded under this title may be used for train-*
21 *ing program development and support, faculty develop-*
22 *ment, model demonstrations, trainee support including tui-*
23 *tion, books, program fees and reasonable living expenses*
24 *during the period of training, technical assistance,*
25 *workforce analysis, and dissemination of information, as*

1 *appropriate to meet recognized health workforce objectives,*
2 *in accordance with this title.*

3 “(b) *MAINTENANCE OF EFFORT.*—With respect to ac-
4 *tivities for which a grant awarded under this title is to*
5 *be expended, the entity shall agree to maintain expenditures*
6 *of non-Federal amounts for such activities at a level that*
7 *is not less than the level of such expenditures maintained*
8 *by the entity for the fiscal year preceding the fiscal year*
9 *for which the entity receives such a grant.*

10 **“SEC. 798. MATCHING REQUIREMENT.**

11 “*The Secretary may require that an entity that ap-*
12 *plies for a grant or contract under this title provide non-*
13 *Federal matching funds, as appropriate, to ensure the insti-*
14 *tutional commitment of the entity to the projects funded*
15 *under the grant. As determined by the Secretary, such non-*
16 *Federal matching funds may be provided directly or*
17 *through donations from public or private entities and may*
18 *be in cash or in-kind, fairly evaluated, including plant,*
19 *equipment, or services.*

20 **“SEC. 799. GENERALLY APPLICABLE PROVISIONS.**

21 “(a) *AWARDING OF GRANTS AND CONTRACTS.*—The
22 *Secretary shall ensure that grants and contracts under this*
23 *title are awarded on a competitive basis, as appropriate,*
24 *to carry out innovative demonstration projects or provide*
25 *for strategic workforce supplementation activities as needed*

1 *to meet health workforce goals and in accordance with this*
2 *title. Contracts may be entered into under this title with*
3 *public or private entities as may be necessary.*

4 “(b) *INFORMATION REQUIREMENTS.—Recipients of*
5 *grants and contracts under this title shall meet information*
6 *requirements as specified by the Secretary.*

7 “(c) *TRAINING PROGRAMS.—Training programs con-*
8 *ducted with amounts received under this title shall meet ap-*
9 *plicable accreditation and quality standards.*

10 “(d) *DURATION OF ASSISTANCE.—*

11 “(1) *IN GENERAL.—Subject to paragraph (2), in*
12 *the case of an award to an entity of a grant, coopera-*
13 *tive agreement, or contract under this title, the period*
14 *during which payments are made to the entity under*
15 *the award may not exceed 5 years. The provision of*
16 *payments under the award shall be subject to annual*
17 *approval by the Secretary of the payments and sub-*
18 *ject to the availability of appropriations for the fiscal*
19 *year involved to make the payments. This paragraph*
20 *may not be construed as limiting the number of*
21 *awards under the program involved that may be*
22 *made to the entity.*

23 “(2) *LIMITATION.—In the case of an award to*
24 *an entity of a grant, cooperative agreement, or con-*
25 *tract under this title, paragraph (1) shall apply only*

1 to the extent not inconsistent with any other provi-
2 sion of this title that relates to the period during
3 which payments may be made under the award.

4 “(e) *PEER REVIEW REGARDING CERTAIN PRO-*
5 *GRAMS.*—Each application for a grant under this title, ex-
6 cept any scholarship or loan program, including those
7 under sections 701, 721, or 723, shall be submitted to a
8 peer review group for an evaluation of the merits of the
9 proposals made in the application. The Secretary may not
10 approve such an application unless a peer review group has
11 recommended the application for approval. Each peer re-
12 view group under this subsection shall be composed prin-
13 cipally of individuals who are not officers or employees of
14 the Federal Government. This subsection shall be carried
15 out by the Secretary acting through the Administrator of
16 the Health Resources and Services Administration.

17 “(f) *PREFERENCE OR PRIORITY CONSIDERATIONS.*—In
18 considering a preference or priority for funding which is
19 based on outcome measures for an eligible entity under this
20 title, the Secretary may also consider the future ability of
21 the eligible entity to meet the outcome preference or priority
22 through improvements in the eligible entity’s program de-
23 sign.

1 **“SEC. 799A. TECHNICAL ASSISTANCE.**

2 *“Funds appropriated under this title may be used by*
3 *the Secretary to provide technical assistance in relation to*
4 *any of the authorities under this title.”*

5 **SEC. 106. PREFERENCE IN CERTAIN PROGRAMS.**

6 *(a) IN GENERAL.—Section 791 of the Public Health*
7 *Service Act (42 U.S.C. 295j), as amended by section*
8 *105(a)(2)(B), is further amended by adding at the end*
9 *thereof the following subsection:*

10 *“(c) EXCEPTIONS FOR NEW PROGRAMS.—*

11 *“(1) IN GENERAL.—To permit new programs to*
12 *compete equitably for funding under this section,*
13 *those new programs that meet the criteria described*
14 *in paragraph (3) shall qualify for a funding pref-*
15 *erence under this section.*

16 *“(2) DEFINITION.—As used in this subsection,*
17 *the term ‘new program’ means any program that has*
18 *graduated less than three classes. Upon graduating at*
19 *least three classes, a program shall have the capabil-*
20 *ity to provide the information necessary to qualify the*
21 *program for the general funding preferences described*
22 *in subsection (a).*

23 *“(3) CRITERIA.—The criteria referred to in*
24 *paragraph (1) are the following:*

25 *“(A) The mission statement of the program*
26 *identifies a specific purpose of the program as*

1 *being the preparation of health professionals to*
2 *serve underserved populations.*

3 “(B) *The curriculum of the program in-*
4 *cludes content which will help to prepare practi-*
5 *tioners to serve underserved populations.*

6 “(C) *Substantial clinical training experi-*
7 *ence is required under the program in medically*
8 *underserved communities.*

9 “(D) *A minimum of 20 percent of the clini-*
10 *cal faculty of the program spend at least 50 per-*
11 *cent of their time providing or supervising care*
12 *in medically underserved communities.*

13 “(E) *The entire program or a substantial*
14 *portion of the program is physically located in*
15 *a medically underserved community.*

16 “(F) *Student assistance, which is linked to*
17 *service in medically underserved communities*
18 *following graduation, is available to the students*
19 *in the program.*

20 “(G) *The program provides a placement*
21 *mechanism for deploying graduates to medically*
22 *underserved communities.”.*

23 (b) *CONFORMING AMENDMENTS.—Section 791(a) of*
24 *the Public Health Service Act (42 U.S.C. 295j(a)) is amend-*
25 *ed—*

1 (1) in paragraph (1), by striking “sections 747”
 2 and all that follows through “767” and inserting “sec-
 3 tion 747”; and

4 (2) in paragraph (2), by striking “under section
 5 798(a)”.

6 **SEC. 107. DEFINITIONS.**

7 (a) PROFESSIONAL PSYCHOLOGY.—Section
 8 799B(1)(B) of the Public Health Service Act (42 U.S.C.
 9 295p(1)(B)) (as so redesignated by section 105(a)(2)(E)) is
 10 amended by striking “program in clinical psychology” and
 11 inserting “graduate programs in professional psychology”.

12 (b) MEDICALLY UNDERSERVED COMMUNITY.—Section
 13 799B(6) of the Public Health Service Act (42 U.S.C.
 14 295p(6)) (as so redesignated by section 105(a)(2)(E)) is
 15 amended—

16 (1) in subparagraph (B), by striking “or” at the
 17 end thereof;

18 (2) in subparagraph (C), by striking the period
 19 and inserting a semicolon; and

20 (3) by adding at the end the following new sub-
 21 paragraphs:

22 “(D) is a State or local health department
 23 that has a severe shortage of public health per-
 24 sonnel as determined under criteria established
 25 by the Secretary;

1 “(E) has ambulatory practice sites des-
2 gnated by State Governors as shortage areas or
3 medically underserved communities for purposes
4 of State scholarships or loan repayment or relat-
5 ed programs; or

6 “(F) has practices or facilities in which not
7 less than 50 percent of the patients are recipients
8 of aid under title XIX of the Social Security Act
9 or eligible and uninsured.”.

10 (c) PROGRAMS FOR THE TRAINING OF PHYSICIAN AS-
11 SISTANTS.—Paragraph (3) of section 799B of the Public
12 Health Service Act (42 U.S.C. 295p) (as so redesignated
13 by section 105(a)(2)(E)) is amended to read as follows:

14 “(3) The term ‘program for the training of phy-
15 sician assistants’ means an educational program
16 that—

17 “(A) has as its objective the education of in-
18 dividuals who will, upon completion of their
19 studies in the program, be qualified to provide
20 primary care under the supervision of a physi-
21 cian;

22 “(B) extends for at least one academic year
23 and consists of—

24 “(i) supervised clinical practice; and

1 “(ii) at least four months (in the ag-
2 gregate) of classroom instruction, directed
3 toward preparing students to deliver health
4 care;

5 “(C) has an enrollment of not less than
6 eight students; and

7 “(D) trains students in primary care, dis-
8 ease prevention, health promotion, geriatric med-
9 icine, and home health care.”.

10 **SEC. 108. SAVINGS PROVISION.**

11 *In the case of any authority for making awards of*
12 *grants or contracts that is terminated by the amendments*
13 *made by this subtitle, the Secretary of Health and Human*
14 *Services may, notwithstanding the termination of the au-*
15 *thority, continue in effect any grant or contract made under*
16 *the authority that is in effect on the day before the date*
17 *of the enactment of this Act, subject to the duration of any*
18 *such grant or contract not exceeding the period determined*
19 *by the Secretary in first approving such financial assist-*
20 *ance, or in approving the most recent request made (before*
21 *the date of such enactment) for continuation of such assist-*
22 *ance, as the case may be.*

1 **Subtitle B—Nursing Education**

2 **SEC. 121. SHORT TITLE.**

3 *This title may be cited as the “Nursing Education*
 4 *Consolidation and Reauthorization Act of 1995”.*

5 **SEC. 122. PURPOSE.**

6 *It is the purpose of this title to restructure the nurse*
 7 *education authorities of title VIII of the Public Health Serv-*
 8 *ice Act to permit a comprehensive, flexible, and effective ap-*
 9 *proach to Federal support for nursing workforce develop-*
 10 *ment.*

11 **SEC. 123. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.**

12 *Title VIII of the Public Health Service Act (42 U.S.C.*
 13 *296k et seq.) is amended—*

14 (1) *by striking the title heading and all that fol-*
 15 *lows except for subparts II and III of part B and sec-*
 16 *tion 855; and inserting the following:*

17 **“TITLE VIII—NURSING**
 18 **WORKFORCE DEVELOPMENT”;**

19 (2) *by redesignating subpart III of part B as*
 20 *subpart II;*

21 (3) *in subpart II of part B, by striking the sub-*
 22 *part heading and inserting the following:*

23 **“PART E—STUDENT LOANS**

24 **“Subpart I—General Program”;**

25 (4) *by striking section 837;*

1 (5) by inserting after the title heading the follow-
2 ing new parts:

3 **“PART A—GENERAL PROVISIONS**

4 **“SEC. 801. DEFINITIONS.**

5 *“As used in this title:*

6 “(1) *ELIGIBLE ENTITIES.*—The term ‘eligible en-
7 tities’ means schools of nursing, nursing centers, State
8 or local governments, and other public or nonprofit
9 private entities determined appropriate by the Sec-
10 retary that submit to the Secretary an application in
11 accordance with section 802.

12 “(2) *SCHOOL OF NURSING.*—The term ‘school of
13 nursing’ means a collegiate, associate degree, or di-
14 ploma school of nursing in a State.

15 “(3) *COLLEGIATE SCHOOL OF NURSING.*—The
16 term ‘collegiate school of nursing’ means a depart-
17 ment, division, or other administrative unit in a col-
18 lege or university which provides primarily or exclu-
19 sively a program of education in professional nursing
20 and related subjects leading to the degree of bachelor
21 of arts, bachelor of science, bachelor of nursing, or to
22 an equivalent degree, or to a graduate degree in nurs-
23 ing, and including advanced training related to such
24 program of education provided by such school, but

1 *only if such program, or such unit, college or univer-*
2 *sity is accredited.*

3 “(4) ASSOCIATE DEGREE SCHOOL OF NURS-

4 *ING.—The term ‘associate degree school of nursing’*
5 *means a department, division, or other administra-*
6 *tive unit in a junior college, community college, col-*
7 *lege, or university which provides primarily or exclu-*
8 *sively a two-year program of education in profes-*
9 *sional nursing and allied subjects leading to an asso-*
10 *ciate degree in nursing or to an equivalent degree, but*
11 *only if such program, or such unit, college, or univer-*
12 *sity is accredited.*

13 “(5) DIPLOMA SCHOOL OF NURSING.—The term

14 *‘diploma school of nursing’ means a school affiliated*
15 *with a hospital or university, or an independent*
16 *school, which provides primarily or exclusively a pro-*
17 *gram of education in professional nursing and allied*
18 *subjects leading to a diploma or to equivalent indicia*
19 *that such program has been satisfactorily completed,*
20 *but only if such program, or such affiliated school or*
21 *such hospital or university or such independent school*
22 *is accredited.*

23 “(6) ACCREDITED.—

24 “(A) IN GENERAL.—Except as provided in

25 subparagraph (B), the term ‘accredited’ when

1 *applied to any program of nurse education*
2 *means a program accredited by a recognized*
3 *body or bodies, or by a State agency, approved*
4 *for such purpose by the Secretary of Education*
5 *and when applied to a hospital, school, college,*
6 *or university (or a unit thereof) means a hos-*
7 *pital, school, college, or university (or a unit*
8 *thereof) which is accredited by a recognized body*
9 *or bodies, or by a State agency, approved for*
10 *such purpose by the Secretary of Education. For*
11 *the purpose of this paragraph, the Secretary of*
12 *Education shall publish a list of recognized ac-*
13 *crediting bodies, and of State agencies, which the*
14 *Secretary of Education determines to be reliable*
15 *authority as to the quality of education offered.*

16 “(B) *NEW PROGRAMS.*—*A new school of*
17 *nursing that, by reason of an insufficient period*
18 *of operation, is not, at the time of the submission*
19 *of an application for a grant or contract under*
20 *this title, eligible for accreditation by such a rec-*
21 *ognized body or bodies or State agency, shall be*
22 *deemed accredited for purposes of this title if the*
23 *Secretary of Education finds, after consultation*
24 *with the appropriate accreditation body or bod-*
25 *ies, that there is reasonable assurance that the*

1 *school will meet the accreditation standards of*
2 *such body or bodies prior to the beginning of the*
3 *academic year following the normal graduation*
4 *date of students of the first entering class in such*
5 *school.*

6 “(7) *NONPROFIT.*—*The term ‘nonprofit’ as ap-*
7 *plied to any school, agency, organization, or institu-*
8 *tion means one which is a corporation or association,*
9 *or is owned and operated by one or more corporations*
10 *or associations, no part of the net earnings of which*
11 *inures, or may lawfully inure, to the benefit of any*
12 *private shareholder or individual.*

13 “(8) *STATE.*—*The term ‘State’ means a State,*
14 *the Commonwealth of Puerto Rico, the District of Co-*
15 *lumbia, the Commonwealth of the Northern Mariana*
16 *Islands, Guam, American Samoa, the Virgin Islands,*
17 *or the Trust Territory of the Pacific Islands.*

18 **“SEC. 802. APPLICATION.**

19 “(a) *IN GENERAL.*—*To be eligible to receive a grant*
20 *or contract under this title, an eligible entity shall prepare*
21 *and submit to the Secretary an application that meets the*
22 *requirements of this section, at such time, in such manner,*
23 *and containing such information as the Secretary may re-*
24 *quire.*

1 “(b) *PLAN.*—An application submitted under this sec-
2 tion shall contain the plan of the applicant for carrying
3 out a project with amounts received under this title. Such
4 plan shall be consistent with relevant Federal, State, or re-
5 gional program plans.

6 “(c) *PERFORMANCE OUTCOME STANDARDS.*—An ap-
7 plication submitted under this section shall contain a speci-
8 fication by the applicant entity of performance outcome
9 standards that the project to be funded under the grant or
10 contract will be measured against. Such standards shall ad-
11 dress relevant national nursing needs that the project will
12 meet. The recipient of a grant or contract under this section
13 shall meet the standards set forth in the grant or contract
14 application.

15 “(d) *LINKAGES.*—An application submitted under this
16 section shall contain a description of the linkages with rel-
17 evant educational and health care entities, including train-
18 ing programs for other health professionals as appropriate,
19 that the project to be funded under the grant or contract
20 will establish.

21 **“SEC. 803. USE OF FUNDS.**

22 “(a) *IN GENERAL.*—Amounts provided under a grant
23 or contract awarded under this title may be used for train-
24 ing program development and support, faculty develop-
25 ment, model demonstrations, trainee support including tui-

1 *tion, books, program fees and reasonable living expenses*
2 *during the period of training, technical assistance,*
3 *workforce analysis, and dissemination of information, as*
4 *appropriate to meet recognized nursing objectives, in ac-*
5 *cordance with this title.*

6 “(b) *MAINTENANCE OF EFFORT.*—With respect to ac-
7 *tivities for which a grant awarded under this title is to*
8 *be expended, the entity shall agree to maintain expenditures*
9 *of non-Federal amounts for such activities at a level that*
10 *is not less than the level of such expenditures maintained*
11 *by the entity for the fiscal year preceding the fiscal year*
12 *for which the entity receives such a grant.*

13 **“SEC. 804. MATCHING REQUIREMENT.**

14 “*The Secretary may require that an entity that ap-*
15 *plies for a grant or contract under this title provide non-*
16 *Federal matching funds, as appropriate, to ensure the insti-*
17 *tutional commitment of the entity to the projects funded*
18 *under the grant. Such non-Federal matching funds may be*
19 *provided directly or through donations from public or pri-*
20 *vate entities and may be in cash or in-kind, fairly evalu-*
21 *ated, including plant, equipment, or services.*

22 **“SEC. 805. PREFERENCE.**

23 “*In awarding grants or contracts under this title, the*
24 *Secretary shall give preference to applicants with projects*
25 *that will substantially benefit rural or underserved popu-*

1 *lations, or help meet public health nursing needs in State*
2 *or local health departments.*

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

4 “(a) *AWARDING OF GRANTS AND CONTRACTS.*—The
5 *Secretary shall ensure that grants and contracts under this*
6 *title are awarded on a competitive basis, as appropriate,*
7 *to carry out innovative demonstration projects or provide*
8 *for strategic workforce supplementation activities as needed*
9 *to meet national nursing service goals and in accordance*
10 *with this title. Contracts may be entered into under this*
11 *title with public or private entities as determined necessary*
12 *by the Secretary.*

13 “(b) *INFORMATION REQUIREMENTS.*—Recipients of
14 *grants and contracts under this title shall meet information*
15 *requirements as specified by the Secretary.*

16 “(c) *TRAINING PROGRAMS.*—Training programs con-
17 *ducted with amounts received under this title shall meet ap-*
18 *plicable accreditation and quality standards.*

19 “(d) *DURATION OF ASSISTANCE.*—

20 “(1) *IN GENERAL.*—Subject to paragraph (2), in
21 *the case of an award to an entity of a grant, coopera-*
22 *tive agreement, or contract under this title, the period*
23 *during which payments are made to the entity under*
24 *the award may not exceed 5 years. The provision of*
25 *payments under the award shall be subject to annual*

1 *approval by the Secretary of the payments and sub-*
2 *ject to the availability of appropriations for the fiscal*
3 *year involved to make the payments. This paragraph*
4 *may not be construed as limiting the number of*
5 *awards under the program involved that may be*
6 *made to the entity.*

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

13 “(e) *PEER REVIEW REGARDING CERTAIN PRO-*
14 *GRAMS.—Each application for a grant under this title, ex-*
15 *cept advanced nurse traineeship grants under section*
16 *811(a)(2), shall be submitted to a peer review group for an*
17 *evaluation of the merits of the proposals made in the appli-*
18 *cation. The Secretary may not approve such an application*
19 *unless a peer review group has recommended the applica-*
20 *tion for approval. Each peer review group under this sub-*
21 *section shall be composed principally of individuals who are*
22 *not officers or employees of the Federal Government. This*
23 *subsection shall be carried out by the Secretary acting*
24 *through the Administrator of the Health Resources and*
25 *Services Administration.*

1 **“SEC. 807. NATIONAL ADVISORY COUNCIL ON NURSE EDU-**
2 **CATION AND PRACTICE.**

3 “(a) *ESTABLISHMENT.*—*There is hereby established a*
4 *National Advisory Council on Nurse Education and Prac-*
5 *tice (in this section referred to as the ‘Council’), consisting*
6 *of the Secretary or the delegate of the Secretary (who shall*
7 *be an ex officio member and shall serve as the Chairperson),*
8 *and 15 members appointed by the Secretary without regard*
9 *to the Federal civil service laws, of which—*

10 “(1) *2 shall be selected from full-time students*
11 *enrolled in schools of nursing;*

12 “(2) *3 shall be selected from the general public;*

13 “(3) *2 shall be selected from practicing profes-*
14 *sional nurses; and*

15 “(4) *8 shall be selected from among the leading*
16 *authorities in the various fields of nursing, higher,*
17 *and secondary education, and from representatives of*
18 *hospitals and other institutions and organizations*
19 *which provide nursing services.*

20 *A majority of the members shall be nurses. The student-*
21 *members of the Council shall be appointed for terms of one*
22 *year and shall be eligible for reappointment to the Council.*

23 “(b) *DUTIES.*—*The Council shall advise the Secretary*
24 *in the preparation of general regulations and with respect*
25 *to policy matters arising in the administration of this title,*

1 *including the range of issues relating to nurse supply, edu-*
2 *cation and practice improvement.*

3 “(c) *FUNDING.*—Amounts appropriated under this
4 *title may be utilized by the Secretary to support the nurse*
5 *education and practice activities of the Council.*

6 **“SEC. 808. TECHNICAL ASSISTANCE.**

7 “Funds appropriated under this title may be used by
8 *the Secretary to provide technical assistance in relation to*
9 *any of the authorities under this title.*

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

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

17 “(1) *the owner of the facility ceases to be a pub-*
18 *lic or nonprofit school;*

19 “(2) *the facility ceases to be used for the training*
20 *purposes for which it was constructed; or*

21 “(3) *the facility is used for sectarian instruction*
22 *or as a place for religious worship,*

23 *the United States shall be entitled to recover from the owner*
24 *of the facility the base amount prescribed by subsection*

1 (c)(1) plus the interest (if any) prescribed by subsection
2 (c)(2).

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

13 “(c) AMOUNT OF RECOVERY.—

14 “(1) BASE AMOUNT.—The base amount that the
15 United States is entitled to recover under subsection
16 (a) is the amount bearing the same ratio to the then
17 value (as determined by the agreement of the parties
18 or in an action brought in the district court of the
19 United States for the district in which the facility is
20 situated) of the facility as the amount of the Federal
21 participation bore to the cost of the construction.

22 “(2) INTEREST.—

23 “(A) IN GENERAL.—The interest that the
24 United States is entitled to recover under sub-
25 section (a) is the interest for the period (if any)

1 described in subparagraph (B) at a rate (deter-
2 mined by the Secretary) based on the average of
3 the bond equivalent rates of 91-day Treasury
4 bills auctioned during such period.

5 “(B) TIME PERIOD.—The period referred to
6 in subparagraph (A) is the period beginning—

7 “(i) if notice is provided as prescribed
8 by subsection (b), 191 days after the date on
9 which the owner of the facility ceases to be
10 a public or nonprofit school as described in
11 paragraph (1) of subsection (a), or 191 days
12 after the date on which the use of the facil-
13 ity changes as described in paragraph (2)
14 or (3) of such subsection; or

15 “(ii) if notice is not provided as pre-
16 scribed by subsection (b), 11 days after the
17 date on which such cessation or change of
18 use occurs,

19 and ending on the date the amount the United
20 States is entitled to recover is collected.

21 “(d) WAIVER OF RIGHTS.—The Secretary may waive
22 the recovery rights of the United States under subsection
23 (a)(2) with respect to a facility (under such conditions as
24 the Secretary may establish by regulation) if the Secretary
25 determines that there is good cause for waiving such rights.

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

4 **“PART B—NURSE PRACTITIONERS, NURSE MID-**
5 **WIVES, AND OTHER ADVANCED PRACTICE**
6 **NURSES**

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

8 “(a) *IN GENERAL.*—The Secretary may award grants
9 to and enter into contracts with eligible entities to meet the
10 costs of—

11 “(1) projects that support the enhancement of ad-
12 vanced practice nursing education and practice; and

13 “(2) traineeships for individuals in advanced
14 practice nursing programs.

15 “(b) *DEFINITION OF ADVANCED PRACTICE NURSES.*—
16 For purposes of this section, the term ‘advanced practice
17 nurses’ means nurses trained in advanced degree programs
18 including individuals in combined R.N./Master’s degree
19 programs, post-nursing master’s certificate programs, or, in
20 the case of nurse midwives or nurse anesthetists, in certifi-
21 cate programs in existence on the date that is one day prior
22 to the date of enactment of this section, to serve as nurse
23 practitioners, nurse midwives, nurse anesthetists, nurse
24 educators, or public health nurses, or in other nurse special-

1 *ties determined by the Secretary to require advanced edu-*
2 *cation.*

3 “(c) *AUTHORIZED NURSE PRACTITIONER AND NURSE-*
4 *MIDWIFERY PROGRAMS.*—*Nurse practitioner and nurse*
5 *midwifery programs eligible for support under this section*
6 *are educational programs for registered nurses (irrespective*
7 *of the type of school of nursing in which the nurses received*
8 *their training) that—*

9 “(1) *meet guidelines prescribed by the Secretary;*
10 *and*

11 “(2) *have as their objective the education of*
12 *nurses who will upon completion of their studies in*
13 *such programs, be qualified to effectively provide pri-*
14 *mary health care, including primary health care in*
15 *homes and in ambulatory care facilities, long-term*
16 *care facilities and other health care institutions.*

17 “(d) *OTHER AUTHORIZED EDUCATIONAL PRO-*
18 *GRAMS.*—*The Secretary shall prescribe guidelines as appro-*
19 *priate for other advanced practice nurse education pro-*
20 *grams eligible for support under this section.*

21 “(e) *TRAINEESHIPS.*—

22 “(1) *IN GENERAL.*—*The Secretary may not*
23 *award a grant to an applicant under subsection (a)*
24 *unless the applicant involved agrees that traineeships*

1 *portunities for individuals who are from disadvantaged*
2 *backgrounds (including racial and ethnic minorities*
3 *underrepresented among registered nurses) by providing*
4 *student scholarships or stipends, pre-entry preparation,*
5 *and retention activities.*

6 “(b) *GUIDANCE.—In carrying out subsection (a), the*
7 *Secretary shall take into consideration the recommenda-*
8 *tions of the First and Second Invitational Congresses for*
9 *Minority Nurse Leaders on ‘Caring for the Emerging Ma-*
10 *jority,’ in 1992 and 1993, and consult with nursing asso-*
11 *ciations including the American Nurses Association, the*
12 *National League for Nursing, the American Association of*
13 *Colleges of Nursing, the Black Nurses Association, the Asso-*
14 *ciation of Hispanic Nurses, the Association of Asian Amer-*
15 *ican and Pacific Islander Nurses, the National Nurses Asso-*
16 *ciation, and the Native American Indian and Alaskan*
17 *Nurses Association.*

18 “(c) *REQUIRED INFORMATION AND CONDITIONS FOR*
19 *AWARD RECIPIENTS.—*

20 “(1) *IN GENERAL.—Recipients of awards under*
21 *this section may be required, where requested, to re-*
22 *port to the Secretary concerning the annual admis-*
23 *sion, retention, and graduation rates for ethnic and*
24 *racial minorities in the school or schools involved in*
25 *the projects.*

1 “(2) *FALLING RATES.*—If any of the rates re-
 2 ported under paragraph (1) fall below the average of
 3 the two previous years, the grant or contract recipient
 4 shall provide the Secretary with plans for imme-
 5 diately improving such rates.

6 “(3) *INELIGIBILITY.*—A recipient described in
 7 paragraph (2) shall be ineligible for continued fund-
 8 ing under this section if the plan of the recipient fails
 9 to improve the rates within the 1-year period begin-
 10 ning on the date such plan is implemented.

11 **“PART D—STRENGTHENING CAPACITY FOR BASIC**
 12 **NURSE EDUCATION AND PRACTICE**

13 **“SEC. 831. BASIC NURSE EDUCATION AND PRACTICE**
 14 **GRANTS.**

15 “(a) *IN GENERAL.*—The Secretary may award grants
 16 to and enter into contracts with eligible entities for projects
 17 to strengthen capacity for basic nurse education and prac-
 18 tice.

19 “(b) *PRIORITY AREAS.*—In awarding grants or con-
 20 tracts under this section the Secretary shall give priority
 21 to entities that will use amounts provided under such a
 22 grant or contract to enhance the education mix and utiliza-
 23 tion of the basic nursing workforce by strengthening pro-
 24 grams that provide basic nurse education for purposes of—

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

3 “(2) providing care for underserved populations
4 and other high-risk groups such as the elderly, indi-
5 viduals with HIV-AIDS, substance abusers, homeless,
6 and battered women;

7 “(3) providing managed care, quality improve-
8 ment, and other skills needed under new systems of
9 organized health care systems;

10 “(4) developing cultural competencies among
11 nurses;

12 “(5) providing emergency health services;

13 “(6) promoting career mobility for nursing per-
14 sonnel in a variety of training settings and cross
15 training or specialty training among diverse popu-
16 lation groups; or

17 “(7) other priority areas as determined by the
18 Secretary.

19 **“PART F—AUTHORIZATION OF APPROPRIATIONS**

20 **“SEC. 841. AUTHORIZATION OF APPROPRIATIONS.**

21 “*There are authorized to be appropriated to carry out*
22 *sections 811, 821, and 831, \$62,000,000 for fiscal year*
23 *1996, such sums as may be necessary in each of the fiscal*
24 *years 1997 and 1998, and \$59,000,000 for fiscal year*
25 *1999.”; and*

1 (6) by redesignating section 855 as section 810,
 2 and transferring such section so as to appear after
 3 section 809 (as added by the amendment made by
 4 paragraph (5)).

5 **SEC. 124. SAVINGS PROVISION.**

6 In the case of any authority for making awards of
 7 grants or contracts that is terminated by the amendment
 8 made by section 123, the Secretary of Health and Human
 9 Services may, notwithstanding the termination of the au-
 10 thority, continue in effect any grant or contract made under
 11 the authority that is in effect on the day before the date
 12 of the enactment of this Act, subject to the duration of any
 13 such grant or contract not exceeding the period determined
 14 by the Secretary in first approving such financial assist-
 15 ance, or in approving the most recent request made (before
 16 the date of such enactment) for continuation of such assist-
 17 ance, as the case may be.

18 **Subtitle C—Financial Assistance**

19 **PART 1—NATIONAL HEALTH SERVICE CORPS**

20 **FINANCIAL ASSISTANCE PROGRAMS**

21 **SEC. 131. GENERAL AMENDMENTS WITH RESPECT TO FED-**

22 **ERALLY SUPPORTED LOANS.**

23 (a) *LOAN REPAYMENT PROGRAM.*—Section 338B of
 24 the Public Health Service Act (42 U.S.C. 254l-1) is
 25 amended—

1 (1) *in subsection (a)—*

2 (A) *in the matter preceding paragraph (1),*
3 *by inserting “and public health disease preven-*
4 *tion and health promotion activities” before the*
5 *dash; and*

6 (B) *in paragraph (1), by striking “and*
7 *physician assistants” and inserting “physician*
8 *assistants, and public health professionals”;*

9 (2) *in subsection (b)(1)—*

10 (A) *in subparagraph (A), by inserting*
11 *“public health,” after “dentistry,”;*

12 (B) *in subparagraph (B), by inserting*
13 *“public health,” after “dentistry,”; and*

14 (C) *in subparagraph (C), by inserting*
15 *“public health,” after “dentistry,”;*

16 (3) *in subsection (c)(4)—*

17 (A) *in subparagraph (A), by inserting “and*
18 *schools of public health” after “professions*
19 *schools”;*

20 (B) *in subparagraph (B)(i)—*

21 (i) *by inserting “or public health pro-*
22 *fessional” after “any health professional”;*
23 *and*

1 (ii) by inserting “or public health dis-
2 ease prevention and health promotion ac-
3 tivities” before the period;

4 (C) in subparagraph (C)—

5 (i) by inserting “or public health dis-
6 ease prevention and health promotion ac-
7 tivities,” after “primary health services,”;

8 (ii) by inserting “or public health pro-
9 fessions” after “health professions”; and

10 (iii) by inserting “or public health
11 professionals” after “health professionals”
12 each place that such occurs;

13 (4) in subsection (f)(1)(B)(iv), by inserting “or
14 public health disease prevention and health promotion
15 activities” after “primary health services”;

16 (5) in subsection (g)(2)(A)(iii)—

17 (A) by inserting “or public health profes-
18 sional” after “the health professional”; and

19 (B) by inserting “or public health disease
20 prevention and health promotion activities” after
21 “primary health services”; and

22 (6) in subsection (i)(8), —

23 (A) by inserting “or public health profes-
24 sionals” after “health professionals”; and

1 (B) by inserting “or public health disease
2 prevention and health promotion activities” after
3 “primary health services”.

4 (b) *OBLIGATED SERVICE*.—Section 338C(b)(5) of the
5 *Public Health Service Act (42 U.S.C. 254m(b)(5))* is
6 amended—

7 (1) in subparagraph (A), by inserting “public
8 health,” after “dentistry,”; and

9 (2) in subparagraph (E)—

10 (A) in clause (ii), by inserting “public
11 health,” after “dentistry,”; and

12 (B) in clause (iii), by inserting “public
13 health,” after “dentistry,”.

14 (c) *AUTHORIZATION OF APPROPRIATIONS*.—Section
15 *338H of the Public Health Service Act (42 U.S.C. 254q)*
16 *is amended to read as follows:*

17 **“SEC. 338H. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) *AUTHORIZATION OF APPROPRIATIONS*.—For the
19 *purpose of carrying out this subpart, there are authorized*
20 *to be appropriated \$90,000,000 for fiscal year 1996 and*
21 *such sums as may be necessary for each of the fiscal years*
22 *1997 through 2000.*

23 “(b) *DISTRIBUTION OF AMOUNTS*.—The Secretary
24 *shall determine the most appropriate manner in which to*
25 *allocate amounts appropriated under subsection (a) between*

1 *the programs authorized in chapter 1, chapter 2, and chap-*
2 *ter 3. In determining the manner in which to allocate such*
3 *amounts, the Secretary shall give priority to funding State-*
4 *based programs as appropriate under chapter 3. The Sec-*
5 *retary shall distribute such amounts among the various pro-*
6 *grams in such chapters in a manner which furthers both*
7 *Federal and State needs for health professionals in under-*
8 *served areas.”.*

9 (d) *GRANTS FOR LOAN REPAYMENT PROGRAM.*—Sec-
10 *tion 338I of the Public Health Service Act (42 U.S.C. 254q-*
11 *1) is amended—*

12 (1) *in subsection (a)—*

13 (A) *in paragraph (1), by striking “in health*
14 *professional shortage areas” and inserting “or*
15 *public health disease prevention and health pro-*
16 *motion activities in Federal health professional*
17 *shortage areas or approved State designated*
18 *health professional shortage areas”;* and

19 (B) *in paragraph (2)—*

20 (i) *by inserting “or public health pro-*
21 *fessionals” after “health professionals”;* and

22 (ii) *by striking “in health professional*
23 *shortage areas” and inserting “or public*
24 *health disease prevention and health pro-*
25 *motion activities in Federal health profes-*

1 *sional shortage areas or approved State des-*
2 *ignated health professional shortage areas”;*

3 (2) *in subsection (c)—*

4 (A) *in paragraph (1)—*

5 (i) *in the paragraph heading, by strik-*
6 *ing “FEDERAL” and inserting “FEDERAL OR*
7 *APPROVED STATE”;* and

8 (ii) *by inserting before the period the*
9 *following: “or approved State designated*
10 *health professional shortage areas”;*

11 (B) *in paragraph (2), by inserting “or pub-*
12 *lic health professionals” after “health profes-*
13 *sionals”;*

14 (C) *in paragraph (3)—*

15 (i) *in subparagraph (A)—*

16 (I) *in the matter preceding clause*
17 *(i), by inserting “or public health pro-*
18 *fessionals” after “health professionals”;*

19 and

20 (II) *in clause (ii), by striking*
21 *health”;*

22 (ii) *in subparagraph (B)—*

23 (I) *in the matter preceding clause*
24 *(i), by inserting “or public health pro-*

1 *professional” after “health professional”;*
2 *and*

3 *(II) in clause (ii)—*

4 *(aa) by inserting “or public*
5 *health professional” after “the*
6 *health professional”; and*

7 *(bb) by striking “services in*
8 *a” and inserting “services or pub-*
9 *lic health disease prevention and*
10 *health promotion activities in a*
11 *Federal”; and*

12 *(D) by adding at the end thereof the follow-*
13 *ing new paragraph:*

14 *“(4) PRIVATE PRACTICE.—*

15 *“(A) In carrying out the program operated*
16 *with a grant under subsection (a), a State may*
17 *waive the requirement of paragraph (1) regard-*
18 *ing the assignment of a health professional if,*
19 *subject to subparagraph (B), the health profes-*
20 *sional enters into an agreement with the State to*
21 *provide primary health services in a full-time*
22 *private clinical practice in a health professional*
23 *shortage area.*

24 *“(B) The Secretary may not make a grant*
25 *under subsection (a) unless the State involved*

1 *agrees that, if the State provides a waiver under*
2 *subparagraph (A) for a health professional, sec-*
3 *tion 338D(b)(1) will apply to the agreement*
4 *under such subparagraph between the State and*
5 *the health professional to the same extent and in*
6 *the same manner as such section applies to an*
7 *agreement between the Secretary and a health*
8 *professional regarding a full-time private clini-*
9 *cal practice.”; and*

10 *(3) in subsection (h), to read as follows:*

11 “(h) *DEFINITIONS.—Unless specifically provided oth-*
12 *erwise, as used in this subpart and section 338F:*

13 “(1) *APPROVED STATE DESIGNATED HEALTH*
14 *PROFESSIONAL SHORTAGE AREA.—The term ‘ap-*
15 *proved State designated health professional shortage*
16 *area’ means an area designated by the State as un-*
17 *derserved using specific methodology and criteria to*
18 *identify such areas. Such criteria and methodology*
19 *shall be approved by the Secretary.*

20 “(2) *COMMUNITY ORGANIZATION.—The term*
21 *‘community organization’ means a public or non-*
22 *profit private entity.*

23 “(3) *PRIMARY HEALTH CARE.—The term ‘pri-*
24 *mary health care’ means health services regarding*
25 *family medicine, general internal medicine, general*

1 *pediatrics, or may include obstetrics and gynecology,*
2 *that are provided by physicians, certified nurse prac-*
3 *titioners, certified nurse midwives, or physician as-*
4 *stants.*

5 “(4) *STATE.*—*The term ‘State’ means each of the*
6 *several States and the District of Columbia.”.*

7 (e) *COMMUNITY SCHOLARSHIP PROGRAMS.*—*Section*
8 *338L of the Public Health Service Act (42 U.S.C. 254t) is*
9 *amended—*

10 (1) *in the section heading, by striking “**DEM-***
11 ***ONSTRATION GRANTS TO STATES FOR**”;*

12 (2) *in subsection (a), by striking “health man-*
13 *power shortage areas” and inserting “Federal health*
14 *professional shortage areas and in approved State*
15 *designated health professional shortage areas”;*

16 (3) *in subsection (c)—*

17 (A) *in the matter preceding paragraph (1),*
18 *by striking “health manpower shortage areas”*
19 *and inserting “Federal health professional short-*
20 *age areas and in approved State designated*
21 *health professional shortage areas”;* and

22 (B) *in paragraph (2), by striking “health*
23 *manpower shortage areas” and inserting “Fed-*
24 *eral health professional shortage areas and in*

1 *approved State designated health professional*
2 *shortage areas”;*

3 (4) *in subsection (e)(1), by striking “health man-*
4 *power shortage areas” and inserting “Federal health*
5 *professional shortage areas and in approved State*
6 *designated health professional shortage areas”;*

7 (5) *in subsection (f)(1)(A), by striking “health*
8 *manpower shortage areas” and inserting “Federal*
9 *health professional shortage areas and in approved*
10 *State designated health professional shortage areas”;*

11 (6) *in subsection (g), by striking “health man-*
12 *power shortage areas” each place that such appears*
13 *and inserting “Federal health professional shortage*
14 *areas and in approved State designated health profes-*
15 *sional shortage areas”;* and

16 (7) *by striking subsections (j) through (l).*

17 **SEC. 132. RESTRUCTURING AND TECHNICAL AMENDMENTS.**

18 (a) *REDESIGNATIONS.*—*Subpart III of part D of title*
19 *III of the Public Health Service Act (42 U.S.C. 254l et seq.)*
20 *is amended—*

21 (1) *by redesignating sections 338J and 338K (42*
22 *U.S.C. 254s and 254t) as sections 338M and 338N,*
23 *respectively;*

1 (2) by redesignating sections 338C through 338H
2 (42 U.S.C. 254m through 254q) as sections 338G
3 through 338L, respectively;

4 (3) by redesignating section 338I (as such section
5 exists one day prior to the date of enactment of this
6 Act) (42 U.S.C. 254r) as section 338E;

7 (4) by redesignating section 338L (as such sec-
8 tion exists one day prior to the date of enactment of
9 this Act) (42 U.S.C. 254u) as section 338F;

10 (b) *CONSOLIDATION OF CERTAIN PROGRAMS.*—Sub-
11 part III of part D of title III of the Public Health Service
12 Act (42 U.S.C. 254l et seq.) (as amended by subsection (a))
13 is further amended—

14 (1) by striking the subpart heading and insert-
15 ing the following:

16 **“Subpart III—Federally Supported**
17 **Scholarships and Loans**

18 **“CHAPTER 1—NATIONAL HEALTH SERVICE**

19 **CORPS SCHOLARSHIPS PROGRAMS**

20 (2) by redesignating section 338B as section
21 338C;

22 (3) by inserting before section 338C (as so reded-
23 ignated) the following:

1 **“CHAPTER 2—NATIONAL HEALTH SERVICE**

2 **CORPS LOAN REPAYMENT PROGRAMS**

3 **“Subchapter A—Loan Repayment Program”;**

4 and

5 (4) by inserting after section 338C (as so redesignated) the following:

7 **“Subchapter B—Nursing Loan Repayment Program”.**

8 (c) *TRANSFERS AND REDESIGNATIONS OF NURSING*
9 *LOAN REPAYMENT PROGRAM.*—Subpart II of part E of title
10 VIII (42 U.S.C. 297n et seq.) (as so redesignated by section
11 123(3)) is amended—

12 (1) by striking the subpart heading;

13 (2) by transferring section 846 (42 U.S.C. 297n)
14 to subchapter B of chapter 2 of subpart III of part
15 D of title III (as added by subsection (b)(4)); and

16 (3) in section 846—

17 (A) by striking the section heading and in-
18 serting the following:

19 **“SEC. 338D. NURSING LOAN REPAYMENT PROGRAM.”;**

20 (B) by striking subsection (d); and

21 (C) by striking subsection (g).

22 (d) *TRANSFERS AND REDESIGNATIONS OF STATE*
23 *LOAN REPAYMENT AND COMMUNITY SCHOLARSHIP PRO-*
24 *GRAMS.*—Subpart III of part D of title III of the Public
25 Health Service Act (42 U.S.C. 254l et seq.) (as amended
26 by subsections (a) through (c)) is further amended—

1 (1) by inserting after section 338D (as so trans-
2 ferred and redesignated by subsection (c)(3)) the fol-
3 lowing:

4 **“CHAPTER 3—STATE LOAN REPAYMENT AND**
5 **COMMUNITY SCHOLARSHIP PROGRAMS**

6 **“Subchapter A—State Loan Repayment Programs”;**

7 (2) by transferring section 338E (as so redesign-
8 ated by subsection (a)(3)) to subchapter A of chapter
9 3 of such subpart (as added by paragraph (1));

10 (3) by inserting after section 338E (as trans-
11 ferred by paragraph (2)) the following:

12 **“Subchapter B—Community Scholarship Programs”;**

13 (4) by transferring section 338F (as so redesign-
14 ated by subsection (a)(4)) to subchapter B of chapter
15 3 of such subpart (as added by paragraph (3)); and

16 (5) by inserting after section 338F (as trans-
17 ferred by paragraph (4)) the following:

18 **“CHAPTER 4—GENERAL PROVISIONS”.**

19 (e) *CLINICAL RESEARCHERS.*—Paragraph (3) of sec-
20 tion 487E(a) of the Public Health Service Act (42 U.S.C.
21 288–5(a)(3)) is amended to read as follows:

22 “(3) *APPLICABILITY OF CERTAIN PROVISIONS RE-*
23 *GARDING OBLIGATED SERVICE.*—With respect to the
24 *National Health Service Corps loan repayment pro-*
25 *gram established in subpart III of part D of title III,*

1 *the provisions of such subpart shall, except as incon-*
2 *sistent with this section, apply to the program estab-*
3 *lished in subsection (a) in the same manner and to*
4 *the same extent as such provisions apply to the Na-*
5 *tional Health Service Corps loan repayment pro-*
6 *grams.”.*

7 **SEC. 133. DEFINITION OF UNDERSERVED AREAS.**

8 *Section 332(a)(1) of the Public Health Service Act (42*
9 *U.S.C. 254e(a)(1)) is amended in the first sentence—*

10 *(1) by striking “, or (C)” and inserting “, (C)”;*
11 *and*

12 *(2) by inserting before the period the following:*
13 *“, or (D) a State or local health department that has*
14 *a severe shortage of public health personnel as deter-*
15 *mined under criteria established by the Secretary”.*

16 **SEC. 134. CONFORMING AMENDMENTS.**

17 *Title III of the Public Health Service Act (42 U.S.C.*
18 *241 et seq.) is amended—*

19 *(1) in subparagraphs (A) and (B) of section*
20 *303(d)(4) (42 U.S.C. 242a(d)(4)(A) and (B)), by*
21 *striking “338C or 338D” each place that such occurs*
22 *and inserting “338G or 338H”;*

23 *(2) in section 331(c) (42 U.S.C. 254d(c)), by*
24 *striking “338D” and inserting “338H”;*

1 (3) in section 337(a) (42 U.S.C. 254j(a)), by
2 striking “338G” and inserting “338K”;

3 (4) in 338A (42 U.S.C. 254l)—

4 (A) in subsection (c)(1)—

5 (i) in subparagraph (A), by striking
6 “338D” and inserting “338I”; and

7 (ii) in subparagraph (B), by striking
8 “338C” and inserting “338H”;

9 (B) in subsection (f)(3), by striking “338D”
10 and inserting “338I”; and

11 (C) in subsection (i)(5)—

12 (i) in subparagraph (A), by striking
13 “338E” and inserting “338I”; and

14 (ii) in subparagraph (B)(ii), by strik-
15 ing “338E” and inserting “338I”;

16 (5) in section 338C (as so redesignated) (42
17 U.S.C. 254l-1)—

18 (A) in subsection (c)(1)—

19 (i) in subparagraph (A), by striking
20 “338E” and inserting “338I”; and

21 (ii) in subparagraph (B), by striking
22 “338D” and inserting “338H”;

23 (B) in subsection (f)(1)(B)(iv), by striking
24 “338D” and inserting “338H”;

1 (C) in subsection (f)(4), by striking “338E”
2 and inserting “338I”; and

3 (D) in subsection (i)(7)—

4 (i) in subparagraph (A), by striking
5 “338E” and inserting “338I”; and

6 (ii) in subparagraph (B)(ii), by strik-
7 ing “338E” and inserting “338I”;

8 (6) in section 338E(d)(1)(C) (as so redesignated
9 by section 132), by striking “338J” and inserting
10 “338M”;

11 (7) in section 338G (as so redesignated by sec-
12 tion 132)—

13 (A) in subsection (a)—

14 (i) by striking “338D” and inserting
15 “338H”; and

16 (ii) by striking “338B” and inserting
17 “338C”; and

18 (B) in subsection (c)(2), by striking “338D”
19 and inserting “338H”;

20 (8) in section 338H (as so redesignated by sec-
21 tion 132)—

22 (A) in subsection (a), by striking “338C”
23 and inserting “338G”; and

24 (B) in subsection (c), by striking “338B”
25 and inserting “338C”;

1 (9) in section 338I (as so redesignated by section
2 132)—

3 (A) in subsection (b)(1)(A)—

4 (i) by striking “338F” and inserting
5 “338J”;

6 (ii) by striking “338C or 338D” and
7 inserting “338G or 338H”;

8 (iii) by striking “338C” and inserting
9 “338G”; and

10 (iv) by striking “338D” and inserting
11 “338H”; and

12 (B) in subsection (c)(1)—

13 (i) by striking “338F” and inserting
14 “338K”;

15 (ii) by striking “338B” and inserting
16 “338C”; and

17 (iii) by striking “338C or 338D” and
18 inserting “338G or 338H”;

19 (10) in section 338J(b) (as so redesignated by
20 section 132)—

21 (A) in paragraph (1)—

22 (i) by striking “338E” and inserting
23 “338I”; and

24 (ii) by striking “338B” and inserting
25 “338C”; and

1 (c) *REPORT REQUIREMENT.*—Section 723 of the Pub-
2 lic Health Service Act (42 U.S.C. 292s) is amended—

3 (1) by striking subsection (c); and

4 (2) by redesignating subsection (d) as subsection
5 (c).

6 **SEC. 136. LOANS FOR DISADVANTAGED STUDENTS.**

7 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
8 724(f)(1) of the Public Health Service Act (42 U.S.C.
9 292t(f)(1)) is amended by striking “\$15,000,000 for fiscal
10 year 1993” and inserting “\$8,000,000 for each of the fiscal
11 years 1996 through 1998”.

12 (b) *REPEAL.*—Effective October 1, 1998, paragraph
13 (1) of section 724(f) of the Public Health Service Act (42
14 U.S.C. 292t(f)(1)) is repealed.

15 **SEC. 137. STUDENT LOANS REGARDING SCHOOLS OF**
16 **NURSING.**

17 (a) *IN GENERAL.*—Section 836(b) of the Public Health
18 Service Act (42 U.S.C. 297b(b)) is amended—

19 (1) in paragraph (1), by striking the period at
20 the end and inserting a semicolon;

21 (2) in paragraph (2)—

22 (A) in subparagraph (A), by striking “and”
23 at the end; and

24 (B) by inserting before the semicolon at the
25 end the following: “, and (C) such additional pe-

1 riods under the terms of paragraph (8) of this
2 subsection”;

3 (3) in paragraph (7), by striking the period at
4 the end and inserting “; and”; and

5 (4) by adding at the end the following para-
6 graph:

7 “(8) pursuant to uniform criteria established by
8 the Secretary, the repayment period established under
9 paragraph (2) for any student borrower who during
10 the repayment period failed to make consecutive pay-
11 ments and who, during the last 12 months of the re-
12 payment period, has made at least 12 consecutive
13 payments may be extended for a period not to exceed
14 10 years.”.

15 (b) *MINIMUM MONTHLY PAYMENTS.*—Section 836(g) of
16 the Public Health Service Act (42 U.S.C. 297b(g)) is
17 amended by striking “\$15” and inserting “\$40”.

18 (c) *ELIMINATION OF STATUTE OF LIMITATION FOR*
19 *LOAN COLLECTIONS.*—

20 (1) *IN GENERAL.*—Section 836 of the Public
21 Health Service Act (42 U.S.C. 297b) is amended by
22 adding at the end the following new subsection:

23 “(1) *ELIMINATION OF STATUTE OF LIMITATION FOR*
24 *LOAN COLLECTIONS.*—

1 “(1) *PURPOSE.*—It is the purpose of this sub-
2 section to ensure that obligations to repay loans
3 under this section are enforced without regard to any
4 Federal or State statutory, regulatory, or administra-
5 tive limitation on the period within which debts may
6 be enforced.

7 “(2) *PROHIBITION.*—Notwithstanding any other
8 provision of Federal or State law, no limitation shall
9 terminate the period within which suit may be filed,
10 a judgment may be enforced, or an offset, garnish-
11 ment, or other action may be initiated or taken by a
12 school of nursing that has an agreement with the Sec-
13 retary pursuant to section 835 that is seeking the re-
14 payment of the amount due from a borrower on a
15 loan made under this subpart after the default of the
16 borrower on such loan.”

17 (2) *EFFECTIVE DATE.*—The amendment made by
18 paragraph (1) shall be effective with respect to actions
19 pending on or after the date of enactment of this Act.

20 (d) *BREACH OF AGREEMENTS.*—Section 338D of the
21 Public Health Service Act (as so redesignated and amended
22 under section 132(c)) is amended by adding at the end
23 thereof the following new subsection:

24 “(g) *BREACH OF AGREEMENT.*—

1 “(1) *IN GENERAL.*—*In the case of any program*
2 *under this section under which an individual makes*
3 *an agreement to provide health services for a period*
4 *of time in accordance with such program in consider-*
5 *ation of receiving an award of Federal funds regard-*
6 *ing education as a nurse (including an award for the*
7 *repayment of loans), the following applies if the*
8 *agreement provides that this subsection is applicable:*

9 “(A) *In the case of a program under this*
10 *section that makes an award of Federal funds for*
11 *attending an accredited program of nursing (in*
12 *this section referred to as a ‘nursing program’),*
13 *the individual is liable to the Federal Govern-*
14 *ment for the amount of such award (including*
15 *amounts provided for expenses related to such at-*
16 *tendance), and for interest on such amount at*
17 *the maximum legal prevailing rate, if the indi-*
18 *vidual—*

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

24 “(ii) *is dismissed from the nursing*
25 *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 to
6 such attendance), and for interest on such
7 amount at the maximum legal prevailing rate, if
8 the individual fails to provide health services in
9 accordance with the program under this section
10 for the period of time applicable under the pro-
11 gram.

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

22 “(3) DATE CERTAIN FOR RECOVERY.—Subject to
23 paragraph (2), any amount that the Federal Govern-
24 ment is entitled to recover under paragraph (1) shall
25 be paid to the United States not later than the expi-

1 *ration of the 3-year period beginning on the date the*
2 *United States becomes so entitled.*

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

8 *(e) TECHNICAL AMENDMENTS.—Section 839 of the*
9 *Public Health Service Act (42 U.S.C. 297e) is amended—*
10 *(1) in subsection (a)—*

11 *(A) by striking the matter preceding para-*
12 *graph (1) and inserting the following:*

13 *“(a) If a school terminates a loan fund established*
14 *under an agreement pursuant to section 835(b), or if the*
15 *Secretary for good cause terminates the agreement with the*
16 *school, there shall be a capital distribution as follows:”;* and

17 *(B) in paragraph (1), by striking “at the*
18 *close of September 30, 1999,” and inserting “on*
19 *the date of termination of the fund”;* and

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

21 *“(b) If a capital distribution is made under subsection*
22 *(a), the school involved shall, after such capital distribution,*
23 *pay to the Secretary, not less often than quarterly, the same*
24 *proportionate share of amounts received by the school in*
25 *payment of principal or interest on loans made from the*

1 *loan fund established under section 835(b) as determined*
2 *by the Secretary under subsection (a).”*

3 **SEC. 138. GENERAL PROVISIONS.**

4 (a) *MAXIMUM STUDENT LOAN PROVISIONS AND MINI-*
5 *MUM PAYMENTS.—*

6 (1) *IN GENERAL.—Section 722(a)(1) of the Pub-*
7 *lic Health Service Act (42 U.S.C. 292r(a)(1)), as*
8 *amended by section 2014(b)(1) of Public Law 103–43,*
9 *is amended by striking “the sum of” and all that fol-*
10 *lows through the end thereof and inserting “the cost*
11 *of attendance (including tuition, other reasonable*
12 *educational expenses, and reasonable living costs) for*
13 *that year at the educational institution attended by*
14 *the student (as determined by such educational insti-*
15 *tution).”*

16 (2) *THIRD AND FOURTH YEARS.—Section*
17 *722(a)(2) of the Public Health Service Act (42 U.S.C.*
18 *292r(a)(2)), as amended by section 2014(b)(1) of Pub-*
19 *lic Law 103–43, is amended by striking “the amount*
20 *\$2,500” and all that follows through “including such*
21 *\$2,500” and inserting “the amount of the loan may,*
22 *in the case of the third or fourth year of a student*
23 *at a school of medicine or osteopathic medicine, be in-*
24 *creased to the extent necessary”*

1 (3) *REPAYMENT PERIOD.*—Section 722(c) of the
2 *Public Health Service Act (42 U.S.C. 292r(c))*, as
3 *amended by section 2014(b)(1) of Public Law 103–43*,
4 *is amended—*

5 (A) *in the subsection heading by striking*
6 *“TEN-YEAR” and inserting “REPAYMENT”;*

7 (B) *by striking “ten-year period which be-*
8 *gins” and inserting “period of not less than 10*
9 *years nor more than 25 years which begins”;*
10 *and*

11 (C) *by striking “such ten-year period” and*
12 *inserting “such period”.*

13 (4) *MINIMUM PAYMENTS.*—Section 722(j) of the
14 *Public Health Service Act (42 U.S.C. 292r(j))*, as
15 *amended by section 2014(b)(1) of Public Law 103–43*,
16 *is amended by striking “\$15” and inserting \$40”.*

17 (b) *ELIMINATION OF STATUTE OF LIMITATION FOR*
18 *LOAN COLLECTIONS.*—

19 (1) *IN GENERAL.*—Section 722 of the *Public*
20 *Health Service Act (42 U.S.C. 292r)*, as amended by
21 *section 2014(b)(1) of Public Law 103–43*, is amended
22 *by adding at the end the following new subsection:*

23 “(m) *ELIMINATION OF STATUTE OF LIMITATION FOR*
24 *LOAN COLLECTIONS.*—

1 “(1) *PURPOSE.*—It is the purpose of this sub-
2 section to ensure that obligations to repay loans
3 under this section are enforced without regard to any
4 Federal or State statutory, regulatory, or administra-
5 tive limitation on the period within which debts may
6 be enforced.

7 “(2) *PROHIBITION.*—Notwithstanding any other
8 provision of Federal or State law, no limitation shall
9 terminate the period within which suit may be filed,
10 a judgment may be enforced, or an offset, garnish-
11 ment, or other action may be initiated or taken by a
12 school that has an agreement with the Secretary pur-
13 suant to section 721 that is seeking the repayment of
14 the amount due from a borrower on a loan made
15 under this subpart after the default of the borrower on
16 such loan.”

17 (2) *EFFECTIVE DATE.*—The amendment made by
18 paragraph (1) shall be effective with respect to actions
19 pending on or after the date of enactment of this Act.

20 (c) *DATE CERTAIN FOR CONTRIBUTIONS.*—Paragraph
21 (2) of section 735(e) of the Public Health Service Act (42
22 U.S.C. 292y(e)(2)) is amended to read as follows:

23 “(2) *DATE CERTAIN FOR CONTRIBUTIONS.*—
24 Amounts described in paragraph (1) that are re-

1 *turned to the Secretary shall be obligated before the*
 2 *end of the succeeding fiscal year.”.*

3 **PART 3—INSURED HEALTH EDUCATION**

4 **ASSISTANCE LOANS TO GRADUATE STUDENTS**

5 **SEC. 141. HEALTH EDUCATION ASSISTANCE LOAN PRO-**
 6 **GRAM.**

7 (a) *HEALTH EDUCATION ASSISTANCE LOAN*
 8 *DEFERMENT FOR BORROWERS PROVIDING HEALTH SERV-*
 9 *ICES TO INDIANS.—*

10 (1) *IN GENERAL.—Section 705(a)(2)(C) of the*
 11 *Public Health Service Act (42 U.S.C. 292d(a)(2)(C))*
 12 *is amended by striking “and (x)” and inserting “(x)*
 13 *not in excess of three years, during which the bor-*
 14 *rower is providing health care services to Indians*
 15 *through an Indian health program (as defined in sec-*
 16 *tion 108(a)(2)(A) of the Indian Health Care Improve-*
 17 *ment Act (25 U.S.C. 1616a(a)(2)(A)); and (xi)”.*

18 (2) *CONFORMING AMENDMENTS.—Section*
 19 *705(a)(2)(C) of the Public Health Service Act (42*
 20 *U.S.C. 292d(a)(2)(C)) is further amended—*

21 (A) *in clause (xi) (as so redesignated) by*
 22 *striking “(ix)” and inserting “(x)”;* and

23 (B) *in the matter following such clause (xi),*
 24 *by striking “(x)” and inserting “(xi)”.*

1 (2) by striking “determined.” and inserting “de-
2 termined, except that, if the insurance beneficiary in-
3 cluding any servicer of the loan is not designated for
4 ‘exceptional performance’, as set forth in paragraph
5 (2), the Secretary shall pay to the beneficiary a sum
6 equal to 98 percent of the amount of the loss sustained
7 by the insured upon that loan.”;

8 (3) by striking “Upon” and inserting:

9 “(1) IN GENERAL.—Upon”; and

10 (4) by adding at the end the following new para-
11 graph:

12 “(2) EXCEPTIONAL PERFORMANCE.—

13 “(A) AUTHORITY.—Where the Secretary de-
14 termines that an eligible lender, holder, or
15 servicer has a compliance performance rating
16 that equals or exceeds 97 percent, the Secretary
17 shall designate that eligible lender, holder, or
18 servicer, as the case may be, for exceptional per-
19 formance.

20 “(B) COMPLIANCE PERFORMANCE RAT-
21 ING.—For purposes of subparagraph (A), a com-
22 pliance performance rating is determined with
23 respect to compliance with due diligence in the
24 disbursement, servicing, and collection of loans
25 under this subpart for each year for which the

1 *determination is made. Such rating shall be*
2 *equal to the percentage of all due diligence re-*
3 *quirements applicable to each loan, on average,*
4 *as established by the Secretary, with respect to*
5 *loans serviced during the period by the eligible*
6 *lender, holder, or servicer.*

7 “(C) ANNUAL AUDITS FOR LENDERS, HOLD-
8 ERS, AND SERVICERS.—Each eligible lender,
9 holder, or servicer desiring a designation under
10 subparagraph (A) shall have an annual finan-
11 cial and compliance audit conducted with re-
12 spect to the loan portfolio of such eligible lender,
13 holder, or servicer, by a qualified independent
14 organization from a list of qualified organiza-
15 tions identified by the Secretary and in accord-
16 ance with standards established by the Secretary.
17 The standards shall measure the lender’s, hold-
18 er’s, or servicer’s compliance with due diligence
19 standards and shall include a defined statistical
20 sampling technique designed to measure the per-
21 formance rating of the eligible lender, holder, or
22 servicer for the purpose of this section. Each eli-
23 gible lender, holder, or servicer shall submit the
24 audit required by this section to the Secretary.

1 “(D) *SECRETARY’S DETERMINATIONS.*—The
2 Secretary shall make the determination under
3 subparagraph (A) based upon the audits submit-
4 ted under this paragraph and any information
5 in the possession of the Secretary or submitted
6 by any other agency or office of the Federal Gov-
7 ernment.

8 “(E) *QUARTERLY COMPLIANCE AUDIT.*—To
9 maintain its status as an exceptional performer,
10 the lender, holder, or servicer shall undergo a
11 quarterly compliance audit at the end of each
12 quarter (other than the quarter in which status
13 as an exceptional performer is established
14 through a financial and compliance audit, as de-
15 scribed in subparagraph (C)), and submit the re-
16 sults of such audit to the Secretary. The compli-
17 ance audit shall review compliance with due
18 diligence requirements for the period beginning
19 on the day after the ending date of the previous
20 audit, in accordance with standards determined
21 by the Secretary.

22 “(F) *REVOCAION AUTHORITY.*—The Sec-
23 retary shall revoke the designation of a lender,
24 holder, or servicer under subparagraph (A) if
25 any quarterly audit required under subpara-

1 *graph (E) is not received by the Secretary by the*
2 *date established by the Secretary or if the audit*
3 *indicates the lender, holder, or servicer has failed*
4 *to meet the standards for designation as an ex-*
5 *ceptional performer under subparagraph (A). A*
6 *lender, holder, or servicer receiving a compliance*
7 *audit not meeting the standard for designation*
8 *as an exceptional performer may reapply for*
9 *designation under subparagraph (A) at any*
10 *time.*

11 “(G) *DOCUMENTATION.*—*Nothing in this*
12 *section shall restrict or limit the authority of the*
13 *Secretary to require the submission of claims*
14 *documentation evidencing servicing performed on*
15 *loans, except that the Secretary may not require*
16 *exceptional performers to submit greater docu-*
17 *mentation than that required for lenders, holders,*
18 *and servicers not designated under subparagraph*
19 *(A).*

20 “(H) *COST OF AUDITS.*—*Each eligible lend-*
21 *er, holder, or servicer shall pay for all the costs*
22 *associated with the audits required under this*
23 *section.*

24 “(I) *ADDITIONAL REVOCATION AUTHOR-*
25 *ITY.*—*Notwithstanding any other provision of*

1 *this section, a designation under subparagraph*
2 *(A) may be revoked at any time by the Secretary*
3 *if the Secretary determines that the eligible lend-*
4 *er, holder, or servicer has failed to maintain an*
5 *overall level of compliance consistent with the*
6 *audit submitted by the eligible lender, holder, or*
7 *servicer under this paragraph or if the Secretary*
8 *asserts that the lender, holder, or servicer may*
9 *have engaged in fraud in securing designation*
10 *under subparagraph (A) or is failing to service*
11 *loans in accordance with program requirements.*

12 *“(J) NONCOMPLIANCE.—A lender, holder, or*
13 *servicer designated under subparagraph (A) that*
14 *fails to service loans or otherwise comply with*
15 *applicable program regulations shall be consid-*
16 *ered in violation of the Federal False Claims*
17 *Act.”.*

18 *(b) DEFINITION.—Section 707(e) of the Public Health*
19 *Service Act (42 U.S.C. 292f(e)) is amended by adding at*
20 *the end the following new paragraph:*

21 *“(4) The term ‘servicer’ means any agency act-*
22 *ing on behalf of the insurance beneficiary.”.*

23 *(c) EFFECTIVE DATE.—The amendments made by sub-*
24 *sections (a) and (b) shall apply with respect to loans sub-*
25 *mitted to the Secretary for payment on or after the first*

1 *day of the sixth month that begins after the date of enact-*
2 *ment of this Act.*

3 **SEC. 143. REAUTHORIZATION.**

4 (a) *LOAN PROGRAM.*—Section 702(a) of the Public
5 *Health Service Act (42 U.S.C. 292a(a)) is amended—*

6 (1) *by striking “1993” and inserting “1996”;*

7 (2) *by striking “1994” and inserting “1997”;*

8 (3) *by striking “fiscal year 1995” and inserting*
9 *“each of the fiscal years 1998 and 1999”; and*

10 (4) *by striking “September 30, 1998” and insert-*
11 *ing “September 20, 2002”.*

12 (b) *INSURANCE PROGRAM.*—Section 710(a)(2)(B) of
13 *the Public Health Service Act (42 U.S.C. 292i(a)(2)(B)) is*
14 *amended by striking “any of the fiscal years 1993 through*
15 *1996” and inserting “fiscal year 1993 and subsequent fiscal*
16 *years”.*

17 **PART 4—SCHOLARSHIPS FOR DISADVANTAGED**
18 **STUDENTS**

19 **SEC. 151. SCHOLARSHIPS FOR DISADVANTAGED STUDENTS.**

20 *Part B of title VII of the Public Health Service Act*
21 *(as amended by section 101(a)) is further amended by add-*
22 *ing at the end thereof the following new section:*

1 **“SEC. 740. SCHOLARSHIPS FOR DISADVANTAGED STU-**
2 **DENTS.**

3 “(a) *IN GENERAL.*—*The Secretary may make a grant*
4 *to an eligible entity (as defined in subsection (f)(1)) under*
5 *this section for the awarding of scholarships by schools to*
6 *any full-time student who is an eligible individual as de-*
7 *fin ed in subsection (f). Such scholarships may be expended*
8 *only for tuition expenses, other reasonable educational ex-*
9 *penses, and reasonable living expenses incurred in the at-*
10 *tendance of such school, and may not, for any year of such*
11 *attendance for which the scholarship is provided, provide*
12 *an amount exceeding the total amount required for the year.*

13 “(b) *PREFERENCE IN PROVIDING SCHOLARSHIPS.*—
14 *The Secretary may not make a grant to an entity under*
15 *subsection (a) unless the health professions and nursing*
16 *schools involved agrees that, in providing scholarships pur-*
17 *suant to the grant, the school will give preference to students*
18 *for whom the costs of attending the school would constitute*
19 *a severe financial hardship and, notwithstanding other pro-*
20 *visions of this section, to former recipients of scholarships*
21 *under sections 736 and 740(d)(2)(B) (as such sections ex-*
22 *isted on the day before the date of enactment of this section).*

23 “(c) *AMOUNT OF AWARD.*—*In awarding grants to eli-*
24 *gible entities that are health professions and nursing*
25 *schools, the Secretary shall give priority to eligible entities*
26 *based on the proportion of graduating students going into*

1 *primary care, the proportion of minority students, and the*
2 *proportion of graduates working in medically underserved*
3 *areas.*

4 “(d) *MAXIMUM SCHOLARSHIP AWARD.*—*The maxi-*
5 *imum scholarship that an individual may receive in any*
6 *year from an eligible entity that is a health professions and*
7 *nursing schools shall be \$3000.*

8 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
9 *authorized to be appropriated to carry out this section,*
10 *\$32,000,000 for each of the fiscal years 1996 through 1999.*
11 *Of the amount appropriated in any fiscal year, the Sec-*
12 *retary shall ensure that not less than 16 percent shall be*
13 *distributed to schools of nursing.*

14 “(f) *DEFINITIONS.*—*As used in this section:*

15 “(1) *ELIGIBLE ENTITIES.*—*The term ‘eligible en-*
16 *tities’ means an entity that—*

17 “(A) *is a school of medicine, osteopathic*
18 *medicine, dentistry, nursing (as defined in sec-*
19 *tion 801), pharmacy, podiatric medicine, optom-*
20 *etry, veterinary medicine, public health, or allied*
21 *health, a school offering a graduate program in*
22 *mental health practice, or an entity providing*
23 *programs for the training of physician assistant;*
24 *and*

1 “(B) is carrying out a program for recruit-
 2 ing and retaining students from disadvantaged
 3 backgrounds, including students who are mem-
 4 bers of racial and ethnic minority groups.

5 “(2) *ELIGIBLE INDIVIDUAL*.—The term ‘eligible
 6 individual’ means an individual who—

7 “(A) is from a disadvantaged background;

8 “(B) has a financial need for a scholarship;
 9 and

10 “(C) is enrolled (or accepted for enrollment)
 11 at an eligible health profession or nursing school
 12 as a full-time student in a program leading to
 13 a degree in a health profession or nursing.”.

14 **TITLE II—OFFICE OF MINORITY**
 15 **HEALTH**

16 **SEC. 201. REVISION AND EXTENSION OF PROGRAMS OF OF-**
 17 **FICE OF MINORITY HEALTH.**

18 (a) *IN GENERAL*.—Section 1707 of the Public Health
 19 Service Act (42 U.S.C. 300u-6) is amended by striking sub-
 20 section (b) and all that follows and inserting the following:

21 “(b) *DUTIES*.—With respect to improving the health
 22 of racial and ethnic minority groups, the Secretary, acting
 23 through the Deputy Assistant Secretary for Minority
 24 Health (in this section referred to as the ‘Deputy Assistant
 25 Secretary’), shall carry out the following:

1 “(1) Establish short-range and long-range goals
2 and objectives and coordinate all other activities with-
3 in the Public Health Service that relate to disease
4 prevention, health promotion, service delivery, and re-
5 search concerning such individuals. The heads of each
6 of the agencies of the Service shall consult with the
7 Deputy Assistant Secretary to ensure the coordination
8 of such activities.

9 “(2) Carry out the following types of activities
10 by entering into interagency agreements with other
11 agencies of the Public Health Service:

12 “(A) Support research, demonstrations and
13 evaluations to test new and innovative models.

14 “(B) Increase knowledge and understanding
15 of health risk factors.

16 “(C) Develop mechanisms that support bet-
17 ter information dissemination, education, pre-
18 vention, and service delivery to individuals from
19 disadvantaged backgrounds, including individ-
20 uals who are members of racial or ethnic minor-
21 ity groups.

22 “(D) Ensure that the National Center for
23 Health Statistics collects data on the health sta-
24 tus of each minority group.

1 “(E) With respect to individuals who lack
2 proficiency in speaking the English language,
3 enter into contracts with public and nonprofit
4 private providers of primary health services for
5 the purpose of increasing the access of the indi-
6 viduals to such services by developing and carry-
7 ing out programs to provide bilingual or inter-
8 pretive services.

9 “(3) Support a national minority health re-
10 source center to carry out the following:

11 “(A) Facilitate the exchange of information
12 regarding matters relating to health information
13 and health promotion, preventive health services,
14 and education in the appropriate use of health
15 care.

16 “(B) Facilitate access to such information.

17 “(C) Assist in the analysis of issues and
18 problems relating to such matters.

19 “(D) Provide technical assistance with re-
20 spect to the exchange of such information (in-
21 cluding facilitating the development of materials
22 for such technical assistance).

23 “(4) Carry out programs to improve access to
24 health care services for individuals with limited pro-
25 ficiency in speaking the English language by facili-

1 *tating the removal of impediments to the receipt of*
2 *health care that result from such limitation. Activities*
3 *under the preceding sentence shall include conducting*
4 *research and developing and evaluating model*
5 *projects.*

6 “(5) *Not later than June 8 of each year, the*
7 *heads of the Public Health Service agencies shall sub-*
8 *mit to the Deputy Assistant Secretary a report sum-*
9 *marizing the minority health activities of each of the*
10 *respective agencies.*

11 “(c) *ADVISORY COMMITTEE.—*

12 “(1) *IN GENERAL.—The Secretary shall establish*
13 *an advisory committee to be known as the Advisory*
14 *Committee on Minority Health (in this subsection re-*
15 *ferred to as the ‘Committee’). The Deputy Assistant*
16 *Secretary shall consult with the Committee in carry-*
17 *ing out this section.*

18 “(2) *DUTIES.—The Committee shall provide ad-*
19 *vice to the Deputy Assistant Secretary carrying out*
20 *this section, including advice on the development of*
21 *goals and specific program activities under para-*
22 *graphs (1) and (2) of subsection (b) for each racial*
23 *and ethnic minority group.*

24 “(3) *CHAIR.—The Deputy Assistant Secretary*
25 *shall serve as the chair of the Committee.*

1 “(4) *COMPOSITION.*—

2 “(A) *The Committee shall be composed of 12*
3 *voting members appointed in accordance with*
4 *subparagraph (B), and nonvoting, ex officio*
5 *members designated in subparagraph (C).*

6 “(B) *The voting members of the Committee*
7 *shall be appointed by the Secretary from among*
8 *individuals who are not officers or employees of*
9 *the Federal Government and who have expertise*
10 *regarding issues of minority health. The racial*
11 *and ethnic minority groups shall be equally rep-*
12 *resented among such members.*

13 “(C) *The nonvoting, ex officio members of*
14 *the Committee shall be the directors of each of the*
15 *minority health offices, and such additional offi-*
16 *cial of the Department of Health and Human*
17 *Services as the Secretary determines to be appro-*
18 *priate.*

19 “(5) *TERMS.*—*Each member of the Committee*
20 *shall serve for a term of 4 years, except that the Sec-*
21 *retary shall initially appoint a portion of the mem-*
22 *bers to terms of 1 year, 2 years, and 3 years.*

23 “(6) *VACANCIES.*—*If a vacancy occurs on the*
24 *Committee, a new member shall be appointed by the*
25 *Secretary within 90 days from the date that the va-*

1 *cancy occurs, and serve for the remainder of the term*
2 *for which the predecessor of such member was ap-*
3 *pointed. The vacancy shall not affect the power of the*
4 *remaining members to execute the duties of the Com-*
5 *mittee.*

6 *“(7) COMPENSATION.—Members of the Commit-*
7 *tee who are officers or employees of the United States*
8 *shall serve without compensation. Members of the*
9 *Committee who are not officers or employees of the*
10 *United States shall receive compensation, for each*
11 *day (including travel time) they are engaged in the*
12 *performance of the functions of the Committee. Such*
13 *compensation may not be in an amount in excess of*
14 *the daily equivalent of the annual maximum rate of*
15 *basic pay payable under the General Schedule (under*
16 *title 5, United States Code) for positions above GS-*
17 *15.*

18 *“(d) CERTAIN REQUIREMENTS REGARDING DUTIES.—*

19 *“(1) RECOMMENDATIONS REGARDING LANGUAGE*
20 *AS IMPEDIMENT TO HEALTH CARE.—The Deputy As-*
21 *stant Secretary for Minority Health shall consult*
22 *with the Director of the Office of Refugee Health, the*
23 *Director of the Office of Civil Rights, and the Director*
24 *of the Office of Minority Health of the Health Re-*
25 *sources and Services Administration, and other ap-*

1 *appropriate offices, regarding recommendations for car-*
2 *rying out activities under subsection (b)(4).*

3 “(2) *EQUITABLE ALLOCATION REGARDING AC-*
4 *TIVITIES.—*

5 “(A) *In making awards of grants, coopera-*
6 *tive agreements, or contracts under this section*
7 *or section 338A, 338B, 340A, 404, or 724, or*
8 *part B of title VII, the Secretary, acting as ap-*
9 *propriate through the Deputy Assistant Sec-*
10 *retary or the Administrator of the Health Re-*
11 *sources and Services Administration, shall en-*
12 *sure that such awards are equitably allocated*
13 *with respect to the various racial and minority*
14 *populations.*

15 “(B) *With respect to grants, cooperative*
16 *agreements, and contracts that are available*
17 *under the sections specified in subparagraph (A),*
18 *the Secretary shall—*

19 “(i) *carry out activities to inform enti-*
20 *ties, as appropriate, that the entities may*
21 *be eligible for awards of such assistance;*

22 “(ii) *provide technical assistance to*
23 *such entities in the process of preparing*
24 *and submitting applications for the awards*

1 *in accordance with the policies of the Sec-*
2 *retary regarding such application; and*

3 “(iii) *inform populations, as appro-*
4 *priate, that members of the populations*
5 *may be eligible to receive services or other-*
6 *wise participate in the activities carried out*
7 *with such awards.*

8 “(3) *CULTURAL COMPETENCY OF SERVICES.—*
9 *The Secretary shall ensure that information and serv-*
10 *ices provided pursuant to subsection (b) are provided*
11 *in the language, educational, and cultural context*
12 *that is most appropriate for the individuals for whom*
13 *the information and services are intended.*

14 “(e) *GRANTS AND CONTRACTS REGARDING DUTIES.—*

15 “(1) *IN GENERAL.—In carrying out subsection*
16 *(b), the Deputy Assistant Secretary may make*
17 *awards of grants, cooperative agreements, and con-*
18 *tracts to public and nonprofit private entities.*

19 “(2) *PROCESS FOR MAKING AWARDS.—The Dep-*
20 *uty Assistant Secretary shall ensure that awards*
21 *under paragraph (1) are made only on a competitive*
22 *basis, and that a grant is awarded for a proposal*
23 *only if the proposal has been recommended for such*
24 *an award through a process of peer review and has*

1 *been so recommended by the advisory committee es-*
2 *tablished under subsection (c).*

3 *“(3) EVALUATION AND DISSEMINATION.—The*
4 *Deputy Assistant Secretary, directly or through con-*
5 *tracts with public and private entities, shall provide*
6 *for evaluations of projects carried out with awards*
7 *made under paragraph (1) during the preceding 2 fis-*
8 *cal years. The report shall be included in the report*
9 *required under subsection (f) for the fiscal year in-*
10 *involved.*

11 *“(f) BIENNIAL REPORTS.—Not later than February 1*
12 *of fiscal year 1996 and of each second year thereafter, the*
13 *Deputy Assistant Secretary shall submit to the Committee*
14 *on Energy and Commerce of the House of Representatives,*
15 *and to the Committee on Labor and Human Resources of*
16 *the Senate, a report describing the activities carried out*
17 *under this section during the preceding 2 fiscal years and*
18 *evaluating the extent to which such activities have been ef-*
19 *fective in improving the health of racial and ethnic minor-*
20 *ity groups. Each such report shall include the biennial re-*
21 *ports submitted to the Deputy Assistant Secretary under*
22 *section 201(b)(5) for such years by the heads of the Public*
23 *Health Service agencies.*

24 *“(g) DEFINITION.—For purposes of this section:*

1 “(1) The term ‘racial and ethnic minority group’
2 means American Indians (including Alaska Natives,
3 Eskimos, and Aleuts); Asian Americans and Pacific
4 Islanders; Blacks; and Hispanics.

5 “(2) The term ‘Hispanic’ means individuals
6 whose origin is Mexican, Puerto Rican, Cuban,
7 Central or South American, or any other Spanish-
8 speaking country.

9 “(h) FUNDING.—For the purpose of carrying out this
10 section, there are authorized to be appropriated \$21,000,000
11 for fiscal year 1996, such sums as may be necessary for
12 each of the fiscal years 1997 and 1998, and \$19,000,000
13 for fiscal year 1999.”.

14 (b) MISCELLANEOUS AMENDMENT.—Section 1707 of
15 the Public Health Service Act (42 U.S.C. 300u-6) is
16 amended in the heading for the section by striking “ESTAB-
17 LISHMENT OF”.

18 **TITLE III—SELECTED**
19 **INITIATIVES**

20 **SEC. 301. PROGRAMS REGARDING BIRTH DEFECTS.**

21 Section 317C of the Public Health Service Act (42
22 U.S.C. 247b-4) is amended to read as follows:

23 “PROGRAMS REGARDING BIRTH DEFECTS

24 “SEC. 317C. (a) The Secretary, acting through the Di-
25 rector of the Centers for Disease Control and Prevention,
26 shall carry out programs—

1 “(1) to collect, analyze, and make available data
2 on birth defects (in a manner that facilitates compli-
3 ance with subsection (d)(2)), including data on the
4 causes of such defects and on the incidence and preva-
5 lence of such defects; and

6 “(2) to operate regional centers for the conduct
7 of applied epidemiological research on the prevention
8 of such defects.

9 “(b) *ADDITIONAL PROVISIONS REGARDING COLLEC-*
10 *TION OF DATA.—*

11 “(1) *IN GENERAL.—*In carrying out subsection
12 (a)(1), the Secretary—

13 “(A) shall collect and analyze data by gen-
14 der and by racial and ethnic group, including
15 Hispanics, non-Hispanic whites, Blacks, Native
16 Americans, Asian Americans, and Pacific Is-
17 landers;

18 “(B) shall collect data under subparagraph
19 (A) from birth certificates, death certificates, hos-
20 pital records, and such other sources as the Sec-
21 retary determines to be appropriate; and

22 “(C) shall encourage States to establish or
23 improve programs for the collection and analysis
24 of epidemiological data on birth defects, and to
25 make the data available.

1 “(2) NATIONAL CLEARINGHOUSE.—In carrying
2 out subsection (a)(1), the Secretary shall establish and
3 maintain a National Information Clearinghouse on
4 Birth Defects to collect and disseminate to health pro-
5 fessionals and the general public information on birth
6 defects, including the prevention of such defects.

7 “(c) GRANTS AND CONTRACTS.—

8 “(1) IN GENERAL.—In carrying out subsection
9 (a), the Secretary may make grants to and enter into
10 contracts with public and nonprofit private entities.

11 “(2) SUPPLIES AND SERVICES IN LIEU OF
12 AWARD FUNDS.—

13 “(A) Upon the request of a recipient of an
14 award of a grant or contract under paragraph
15 (1), the Secretary may, subject to subparagraph
16 (B), provide supplies, equipment, and services
17 for the purpose of aiding the recipient in carry-
18 ing out the purposes for which the award is
19 made and, for such purposes, may detail to the
20 recipient any officer or employee of the Depart-
21 ment of Health and Human Services.

22 “(B) With respect to a request described in
23 subparagraph (A), the Secretary shall reduce the
24 amount of payments under the award involved
25 by an amount equal to the costs of detailing per-

1 *sonnel and the fair market value of any supplies,*
2 *equipment, or services provided by the Secretary.*
3 *The Secretary shall, for the payment of expenses*
4 *incurred in complying with such request, expend*
5 *the amounts withheld.*

6 “(3) *APPLICATION FOR AWARD.*—*The Secretary*
7 *may make an award of a grant or contract under*
8 *paragraph (1) only if an application for the award*
9 *is submitted to the Secretary and the application is*
10 *in such form, is made in such manner, and contains*
11 *such agreements, assurances, and information as the*
12 *Secretary determines to be necessary to carry out the*
13 *purposes for which the award is to be made.*

14 “(d) *BIENNIAL REPORT.*—*Not later than February 1*
15 *of fiscal year 1997 and of every second such year thereafter,*
16 *the Secretary shall submit to the Committee on Energy and*
17 *Commerce of the House of Representatives, and the Commit-*
18 *tee on Labor and Human Resources of the Senate, a report*
19 *that, with respect to the preceding 2 fiscal years—*

20 “(1) *contains information regarding the inci-*
21 *dence and prevalence of birth defects and the extent*
22 *to which birth defects have contributed to the inci-*
23 *dence and prevalence of infant mortality;*

24 “(2) *contains information under paragraph (1)*
25 *that is specific to various racial and ethnic groups*

1 *(including Hispanics, non-Hispanic whites, Blacks,*
2 *Native Americans, and Asian Americans);*

3 *“(3) contains an assessment of the extent to*
4 *which various approaches of preventing birth defects*
5 *have been effective;*

6 *“(4) describes the activities carried out under*
7 *this section; and*

8 *“(5) contains any recommendations of the Sec-*
9 *retary regarding this section.”.*

10 **SEC. 302. TRAUMATIC BRAIN INJURY.**

11 *(a) PROGRAMS OF NATIONAL INSTITUTES OF*
12 *HEALTH.—Section 1261 of the Public Health Service Act*
13 *(42 U.S.C. 300d–61) is amended—*

14 *(1) in subsection (d)—*

15 *(A) in paragraph (2), by striking “and”*
16 *after the semicolon at the end;*

17 *(B) in paragraph (3), by striking the period*
18 *and inserting “; and”; and*

19 *(C) by adding at the end the following*
20 *paragraph:*

21 *“(4) the authority to make awards of grants or*
22 *contracts to public or nonprofit private entities for*
23 *the conduct of basic and applied research regarding*
24 *traumatic brain injury, which research may in-*
25 *clude—*

1 “(A) the development of new methods and
2 modalities for the more effective diagnosis, meas-
3 urement of degree of injury, post-injury monitor-
4 ing and prognostic assessment of head injury for
5 acute, subacute and later phases of care;

6 “(B) the development, modification and
7 evaluation of therapies that retard, prevent or
8 reverse brain damage after acute head injury,
9 that arrest further deterioration following injury
10 and that provide the restitution of function for
11 individuals with long-term injuries;

12 “(C) the development of research on a con-
13 tinuum of care from acute care through rehabili-
14 tation, designed, to the extent practicable, to in-
15 tegrate rehabilitation and long-term outcome
16 evaluation with acute care research; and

17 “(D) the development of programs that in-
18 crease the participation of academic centers of
19 excellence in head injury treatment and rehabili-
20 tation research and training.”; and

21 (2) in subsection (h), by adding at the end the
22 following paragraph:

23 “(4) The term ‘traumatic brain injury’ means
24 an acquired injury to the brain. Such term does not
25 include brain dysfunction caused by congenital or de-

1 *generative disorders, nor birth trauma, but may in-*
2 *clude brain injuries caused by anoxia due to near*
3 *drowning.”.*

4 **(b) PROGRAMS OF HEALTH RESOURCES AND SERV-**
5 **ICES ADMINISTRATION.**—*Part E of title XII of the Public*
6 *Health Service Act (42 U.S.C. 300d–51 et seq.) is amended*
7 *by adding at the end the following new section:*

8 **“SEC. 1252. STATE GRANTS FOR DEMONSTRATION**
9 **PROJECTS REGARDING TRAUMATIC BRAIN**
10 **INJURY.**

11 **“(a) IN GENERAL.**—*The Secretary, acting through the*
12 *Administrator of the Health Resources and Services Admin-*
13 *istration, may make grants to States for the purpose of car-*
14 *rying out demonstration projects to improve the availabil-*
15 *ity of health services regarding traumatic brain injury.*

16 **“(b) STATE ADVISORY BOARD.**—

17 **“(1) IN GENERAL.**—*The Secretary may make a*
18 *grant under subsection (a) only if the State involved*
19 *agrees to establish an advisory board within the ap-*
20 *propriate health department of the State or within*
21 *another department as designated by the chief execu-*
22 *tive officer of the State.*

23 **“(2) FUNCTIONS.**—*An advisory board established*
24 *under paragraph (1) shall be cognizant of findings*
25 *and concerns of Federal, State and local agencies,*

1 *citizens groups, and private industry (such as insur-*
2 *ance, health care, automobile, and other industry en-*
3 *tities). Such advisory boards shall encourage citizen*
4 *participation through the establishment of public*
5 *hearings and other types of community outreach pro-*
6 *grams.*

7 *“(3) COMPOSITION.—An advisory board estab-*
8 *lished under paragraph (1) shall be composed of—*

9 *“(A) representatives of—*

10 *“(i) the corresponding State agencies*
11 *involved;*

12 *“(ii) public and nonprofit private*
13 *health related organizations;*

14 *“(iii) other disability advisory or*
15 *planning groups within the State;*

16 *“(iv) members of an organization or*
17 *foundation representing traumatic brain in-*
18 *jury survivors in that State; and*

19 *“(v) injury control programs at the*
20 *State or local level if such programs exist;*
21 *and*

22 *“(B) a substantial number of individuals*
23 *who are survivors of traumatic brain injury, or*
24 *the family members of such individuals.*

25 *“(c) MATCHING FUNDS.—*

1 “(1) *IN GENERAL.*—With respect to the costs to
2 be incurred by a State in carrying out the purpose
3 described in subsection (a), the Secretary may make
4 a grant under such subsection only if the State agrees
5 to make available, in cash, non-Federal contributions
6 toward such costs in an amount that is not less than
7 \$1 for each \$2 of Federal funds provided under the
8 grant.

9 “(2) *DETERMINATION OF AMOUNT CONTRIB-*
10 *UTED.*—In determining the amount of non-Federal
11 contributions in cash that a State has provided pur-
12 suant to paragraph (1), the Secretary may not in-
13 clude any amounts provided to the State by the Fed-
14 eral Government.

15 “(d) *APPLICATION FOR GRANT.*—The Secretary may
16 make a grant under subsection (a) only if an application
17 for the grant is submitted to the Secretary and the applica-
18 tion is in such form, is made in such manner, and contains
19 such agreements, assurances, and information as the Sec-
20 retary determines to be necessary to carry out this section.

21 “(e) *COORDINATION OF ACTIVITIES.*—The Secretary
22 shall ensure that activities under this section are coordi-
23 nated as appropriate with other agencies of the Public
24 Health Service that carry out activities regarding trau-
25 matic brain injury.

1 “(f) *REPORT.*—Not later than 2 years after the date
2 of enactment of this section, the Secretary shall submit to
3 the Committee on Energy and Commerce of the House of
4 Representatives, and to the Committee on Labor and
5 Human Resources of the Senate, a report describing the
6 findings and results of the programs established under this
7 section, including measures of outcomes and consumer and
8 surrogate satisfaction.

9 “(g) *DEFINITION.*—For purposes of this section, the
10 term ‘traumatic brain injury’ means an acquired injury
11 to the brain. Such term does not include brain dysfunction
12 caused by congenital or degenerative disorders, nor birth
13 trauma, but may include brain injuries caused by anoxia
14 due to near drowning.

15 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—There
16 are authorized to be appropriated to carry out this section,
17 \$5,000,000 for fiscal year 1995, and such sums as may be
18 necessary for each of the fiscal years 1996 and 1997.”.

19 (c) *STUDY; CONSENSUS CONFERENCE.*—

20 (1) *STUDY.*—

21 (A) *IN GENERAL.*—The Secretary of Health
22 and Human Services (in this subsection referred
23 to as the “Secretary”), acting through the appro-
24 priate agencies of the Public Health Service,
25 shall conduct a study for the purpose of carrying

1 *out the following with respect to traumatic brain*
2 *injury:*

3 *(i) In collaboration with appropriate*
4 *State and local health-related agencies—*

5 *(I) determine the incidence and*
6 *prevalence of traumatic brain injury;*
7 *and*

8 *(II) develop a uniform reporting*
9 *system under which States report inci-*
10 *dence of traumatic brain injury, if the*
11 *Secretary determines that such a sys-*
12 *tem is appropriate.*

13 *(ii) Identify common therapeutic inter-*
14 *ventions which are used for the rehabilita-*
15 *tion of individuals with such injuries, and*
16 *shall, subject to the availability of informa-*
17 *tion, include an analysis of—*

18 *(I) the effectiveness of each such*
19 *intervention in improving the func-*
20 *tioning of individuals with brain inju-*
21 *ries;*

22 *(II) the comparative effectiveness*
23 *of interventions employed in the course*
24 *of rehabilitation of individuals with*

1 *brain injuries to achieve the same or*
2 *similar clinical outcome; and*

3 *(III) the adequacy of existing*
4 *measures of outcomes and knowledge of*
5 *factors influencing differential out-*
6 *comes.*

7 *(iii) Develop practice guidelines for the*
8 *rehabilitation of traumatic brain injury at*
9 *such time as appropriate scientific research*
10 *becomes available.*

11 *(B) DATES CERTAIN FOR REPORTS.—*

12 *(i) Not later than 18 months after the*
13 *date of enactment of this Act, the Secretary*
14 *shall submit to the Committee on Commerce*
15 *of the House of Representatives, and to the*
16 *Committee on Labor and Human Resources*
17 *of the Senate, a report describing the find-*
18 *ings made as a result of carrying out sub-*
19 *paragraph (A)(i).*

20 *(ii) Not later than 3 years after the*
21 *date of enactment of this Act, the Secretary*
22 *shall submit to the Committees specified in*
23 *clause (i) a report describing the findings*
24 *made as a result of carrying out clauses (ii)*
25 *and (iii) of subparagraph (A).*

1 (2) *CONSENSUS CONFERENCE.*—*The Secretary,*
2 *acting through the Director of the National Center for*
3 *Medical Rehabilitation Research within the National*
4 *Institute for Child Health and Human Development,*
5 *shall conduct a national consensus conference on*
6 *managing traumatic brain injury and related reha-*
7 *bilitation concerns.*

8 (3) *DEFINITION.*—*For purposes of this sub-*
9 *section, the term “traumatic brain injury” means an*
10 *acquired injury to the brain. Such term does not in-*
11 *clude brain dysfunction caused by congenital or de-*
12 *generative disorders, nor birth trauma, but may in-*
13 *clude brain injuries caused by anoxia due to near*
14 *drowning.*

15 **SEC. 303. STATE OFFICES OF RURAL HEALTH.**

16 (a) *IN GENERAL.*—*Section 338M of the Public Health*
17 *Service Act (as so redesignated by section 132) is*
18 *amended—*

19 (1) *in subsection (b)(1), in the matter preceding*
20 *subparagraph (A), by striking “in cash”; and*

21 (2) *in subsection (j)(1)—*

22 (A) *by striking “and” after “1992,”; and*

23 (B) *by inserting before the period the follow-*
24 *ing: “, and such sums as may be necessary for*
25 *each of the fiscal years 1996 through 1997”; and*

1 (3) in subsection (k), by striking “\$10,000,000”
2 and inserting “\$20,000,000”.

3 (b) *REPEAL*.—Effective on October 1, 1997, section
4 338M of the Public Health Service Act (as so redesignated
5 by section 132) is repealed.

6 **SEC. 304. HEALTH SERVICES FOR PACIFIC ISLANDERS.**

7 Section 10 of the Disadvantaged Minority Health Im-
8 provement Act of 1990 (42 U.S.C. 254c-1) is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (2)—

11 (i) by inserting “, substance abuse”
12 after “availability of health”; and

13 (ii) by striking “, including improved
14 health data systems”;

15 (B) in paragraph (3)—

16 (i) by striking “manpower” and in-
17 serting “care providers”; and

18 (ii) by striking “by—” and all that
19 follows through the end thereof and insert-
20 ing a semicolon;

21 (C) by striking paragraphs (5) and (6);

22 (D) by redesignating paragraphs (7), and
23 (8) as paragraphs (5) and (6), respectively;

24 (E) in paragraph (5) (as so redesignated),
25 by striking “and” at the end thereof;

1 (F) in paragraph (6) (as so redesignated),
2 by striking the period and inserting a semicolon;
3 and

4 (G) by inserting after paragraph (6) (as so
5 redesignated), the following new paragraphs:

6 “(7) to provide primary health care, preventive
7 health care, and related training to American Sa-
8 moan health care professionals; and

9 “(8) to improve access to health promotion and
10 disease prevention services for rural American
11 Samoa.”;

12 (2) in subsection (f)—

13 (A) by striking “there is” and inserting
14 “there are”; and

15 (B) by striking “\$10,000,000” and all that
16 follows through “1993” and inserting
17 “\$3,000,000 for fiscal year 1995, \$4,000,000 for
18 fiscal year 1996, and \$5,000,000 for fiscal year
19 1997”; and

20 (3) by adding at the end thereof the following
21 new subsection:

22 “(g) STUDY AND REPORT.—

23 “(1) STUDY.—Not later than 180 days after the
24 date of enactment of this subsection, the Secretary,
25 acting through the Administrator of the Health Re-

1 *sources and Services Administration, shall enter into*
 2 *a contract with a public or nonprofit private entity*
 3 *for the conduct of a study to determine the effective-*
 4 *ness of projects funded under this section.*

5 *“(2) REPORT.—Not later than July 1, 1996, the*
 6 *Secretary shall prepare and submit to the Committee*
 7 *on Labor and Human Resources of the Senate and*
 8 *the Committee on Energy and Commerce of the House*
 9 *of Representatives a report describing the findings*
 10 *made with respect to the study conducted under para-*
 11 *graph (1).”.*

12 **SEC. 305. DEMONSTRATION PROJECTS REGARDING ALZ-**
 13 **HEIMER’S DISEASE.**

14 *(a) IN GENERAL.—Section 398(a) of the Public Health*
 15 *Service Act (42 U.S.C. 280c-3(a)) is amended—*

16 *(1) in the matter preceding paragraph (1), by*
 17 *striking “not less than 5, and not more than 15,”;*

18 *(2) in paragraph (2)—*

19 *(A) by inserting after “disorders” the fol-*
 20 *lowing: “who are living in single family homes*
 21 *or in congregate settings”; and*

22 *(B) by striking “and” at the end;*

23 *(3) by redesignating paragraph (3) as para-*
 24 *graph (4); and*

1 (4) by inserting after paragraph (2) the follow-
2 ing:

3 “(3) to improve the access of such individuals to
4 home-based or community-based long-term care serv-
5 ices (subject to the services being provided by entities
6 that were providing such services in the State in-
7 volved as of October 1, 1995), particularly such indi-
8 viduals who are members of racial or ethnic minority
9 groups, who have limited proficiency in speaking the
10 English language, or who live in rural areas; and”.

11 (b) DURATION.—Section 398A of the Public Health
12 Service Act (42 U.S.C. 280c-4) is amended—

13 (1) in the heading for the section, by striking
14 “**LIMITATION**” and all that follows and inserting
15 “**REQUIREMENT OF MATCHING**
16 **FUNDS**”;

17 (2) by striking subsection (a);

18 (3) by redesignating subsections (b) and (c) as
19 subsections (a) and (b), respectively;

20 (4) in subsection (a) (as so redesignated), in each
21 of paragraphs (1)(C) and (2)(C), by striking “third
22 year” and inserting “third or subsequent year”.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
24 398B(e) of the Public Health Service Act (42 U.S.C. 280c-

1 5(e)) is amended by striking “and 1993” and inserting
 2 “through 1998”.

3 **TITLE IV—MISCELLANEOUS**
 4 **PROVISIONS**

5 **SEC. 401. TECHNICAL CORRECTIONS REGARDING PUBLIC**
 6 **LAW 103-183.**

7 (a) AMENDATORY INSTRUCTIONS.—Public Law 103-
 8 183 is amended—

9 (1) in section 601—

10 (A) in subsection (b), in the matter preced-
 11 ing paragraph (1), by striking “Section 1201 of
 12 the Public Health Service Act (42 U.S.C. 300d)”
 13 and inserting “Title XII of the Public Health
 14 Service Act (42 U.S.C. 300d et seq.)”; and

15 (B) in subsection (f)(1), by striking “in sec-
 16 tion 1204(c)” and inserting “in section 1203(c)
 17 (as redesignated by subsection (b)(2) of this sec-
 18 tion)”; and

19 (2) in section 602, by striking “for the purpose”
 20 and inserting “For the purpose”; and

21 (3) in section 705(b), by striking “317D(l)(1)”
 22 and inserting “317D(l)(1)”.

23 (b) PUBLIC HEALTH SERVICE ACT.—The Public
 24 Health Service Act, as amended by Public Law 103-183
 25 and by subsection (a) of this section, is amended—

1 (1) in section 317E(g)(2), by striking “making
2 grants under subsection (b)” and inserting “carrying
3 out subsection (b)”;

4 (2) in section 318, in subsection (e) as in effect
5 on the day before the date of the enactment of Public
6 Law 103–183, by redesignating the subsection as sub-
7 section (f);

8 (3) in subpart 6 of part C of title IV—

9 (A) by transferring the first section 447
10 (added by section 302 of Public Law 103–183)
11 from the current placement of the section;

12 (B) by redesignating the section as section
13 447A; and

14 (C) by inserting the section after section
15 447;

16 (4) in section 1213(a)(8), by striking “provides
17 for for” and inserting “provides for”;

18 (5) in section 1501, by redesignating the second
19 subsection (c) (added by section 101(f) of Public Law
20 103–183) as subsection (d); and

21 (6) in section 1505(3), by striking “nonprivate”
22 and inserting “private”.

23 (c) MISCELLANEOUS CORRECTION.—Section 401(c)(3)
24 of Public Law 103–183 is amended in the matter preceding

1 *subparagraph (A) by striking “(d)(5)” and inserting*
2 *“(e)(5)”.*

3 *(d) EFFECTIVE DATE.—This section is deemed to have*
4 *taken effect immediately after the enactment of Public Law*
5 *103–183.*

6 **SEC. 402. CERTAIN AUTHORITIES OF CENTERS FOR DIS-**
7 **EASE CONTROL AND PREVENTION.**

8 *(a) IN GENERAL.—Part B of title III of the Public*
9 *Health Service Act is amended by inserting after section*
10 *317H the following section:*

11 *“MISCELLANEOUS AUTHORITIES REGARDING CENTERS FOR*
12 *DISEASE CONTROL AND PREVENTION*

13 *“SEC. 317I. (a) TECHNICAL AND SCIENTIFIC PEER*
14 *REVIEW GROUPS.—The Secretary, acting through the Di-*
15 *rector of the Centers for Disease Control and Prevention,*
16 *may, without regard to the provisions of title 5, United*
17 *States Code, governing appointments in the competitive*
18 *service, and without regard to the provisions of chapter 51*
19 *and subchapter III of chapter 53 of such title relating to*
20 *classification and General Schedule pay rates, establish*
21 *such technical and scientific peer review groups and sci-*
22 *entific program advisory committees as are needed to carry*
23 *out the functions of such Centers and appoint and pay the*
24 *members of such groups, except that officers and employees*
25 *of the United States shall not receive additional compensa-*
26 *tion for service as members of such groups. The Federal Ad-*

1 *visory Committee Act shall not apply to the duration of*
2 *such peer review groups. Not more than one-fourth of the*
3 *members of any such group shall be officers or employees*
4 *of the United States.*

5 “(b) *FELLOWSHIP AND TRAINING PROGRAMS.*—The
6 *Secretary, acting through the Director of the Centers for*
7 *Disease Control and Prevention, shall establish fellowship*
8 *and training programs to be conducted by such Centers to*
9 *train individuals to develop skills in epidemiology, surveil-*
10 *lance, laboratory analysis, and other disease detection and*
11 *prevention methods. Such programs shall be designed to en-*
12 *able health professionals and health personnel trained under*
13 *such programs to work, after receiving such training, in*
14 *local, State, national, and international efforts toward the*
15 *prevention and control of diseases, injuries, and disabilities.*
16 *Such fellowships and training may be administered through*
17 *the use of either appointment or nonappointment proce-*
18 *dures.”.*

19 (b) *EFFECTIVE DATE.*—*This section is deemed to have*
20 *taken effect July 1, 1995.*

21 **SEC. 403. ADMINISTRATION OF CERTAIN REQUIREMENTS.**

22 (a) *IN GENERAL.*—*Section 2004 of Public Law 103–*
23 *43 (107 Stat. 209) is amended by striking subsection (a).*

1 (b) *CONFORMING AMENDMENTS.*—Section 2004 of
2 Public Law 103–43, as amended by subsection (a) of this
3 section, is amended—

4 (1) by striking “(b) *SENSE*” and all that follows
5 through “In the case” and inserting the following:

6 “(a) *SENSE OF CONGRESS REGARDING PURCHASE OF*
7 *AMERICAN-MADE EQUIPMENT AND PRODUCTS.*—In the
8 case”;

9 (2) by striking “(2) *NOTICE TO RECIPIENTS OF*
10 *ASSISTANCE*” and inserting the following:

11 “(b) *NOTICE TO RECIPIENTS OF ASSISTANCE*”; and

12 (3) in subsection (b), as redesignated by para-
13 graph (2) of this subsection, by striking “paragraph
14 (1)” and inserting “subsection (a)”.

15 (c) *EFFECTIVE DATE.*—This section is deemed to have
16 taken effect immediately after the enactment of Public Law
17 103–43.

18 **SEC. 404. TECHNICAL CORRECTIONS RELATING TO HEALTH**

19 **PROFESSIONS PROGRAMS.**

20 Part G of title VII of the Public Health Service Act
21 (42 U.S.C. 295j et seq.) is amended by inserting after sec-
22 tion 794 the following section:

23 **“SEC. 794A. RECOVERY.**

24 “(a) *IN GENERAL.*—If at any time within 20 years
25 (or within such shorter period as the Secretary may pre-

1 *scribe by regulation for an interim facility) after the com-*
2 *pletion of construction of a facility with respect to which*
3 *funds have been paid under section 720(a) (as such section*
4 *existed one day prior to the date of enactment of the Health*
5 *Professions Education Extension Amendments of 1992*
6 *(Public Law 102-408))—*

7 “(1)(A) *in the case of a facility which was an*
8 *affiliated hospital or outpatient facility with respect*
9 *to which funds have been paid under such section*
10 *720(a)(1), the owner of the facility ceases to be a pub-*
11 *lic or other nonprofit agency that would have been*
12 *qualified to file an application under section 605;*

13 “(B) *in the case of a facility which was not an*
14 *affiliated hospital or outpatient facility but was a fa-*
15 *ility with respect to which funds have been paid*
16 *under paragraph (1) or (3) of such section 720(a), the*
17 *owner of the facility ceases to be a public or nonprofit*
18 *school; or*

19 “(C) *in the case of a facility which was a facil-*
20 *ity with respect to which funds have been paid under*
21 *such section 720(a)(2), the owner of the facility ceases*
22 *to be a public or nonprofit entity;*

23 “(2) *the facility ceases to be used for the teaching*
24 *or training purposes (or other purposes permitted*
25 *under section 722 (as such section existed one day*

1 *prior to the date of enactment of the Health Profes-*
2 *sions Education Extension Amendments of 1992*
3 *(Public Law 102–408)) for which it was constructed,*
4 *or*

5 *“(3) the facility is used for sectarian instruction*
6 *or as a place for religious worship,*

7 *the United States shall be entitled to recover from the owner*
8 *of the facility the base amount prescribed by subsection*
9 *(c)(1) plus the interest (if any) prescribed by subsection*
10 *(c)(2).*

11 *“(b) NOTICE.—The owner of a facility which ceases to*
12 *be a public or nonprofit agency, school, or entity as de-*
13 *scribed in subparagraph (A), (B), or (C) of subsection*
14 *(a)(1), as the case may be, or the owner of a facility the*
15 *use of which changes as described in paragraph (2) or (3)*
16 *of subsection (a), shall provide the Secretary written notice*
17 *of such cessation or change of use within 10 days after the*
18 *date on which such cessation or change of use occurs or*
19 *within 30 days after the date of enactment of this sub-*
20 *section, whichever is later.*

21 *“(c) AMOUNT.—*

22 *“(1) BASE AMOUNT.—The base amount that the*
23 *United States is entitled to recover under subsection*
24 *(a) is the amount bearing the same ratio to the then*
25 *value (as determined by the agreement of the parties*

1 or in an action brought in the district court of the
2 United States for the district in which the facility is
3 situated) of the facility as the amount of the Federal
4 participation bore to the cost of construction.

5 “(2) INTEREST.—

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

13 “(B) PERIOD.—The period referred to in
14 subparagraph (A) is the period beginning—

15 “(i) if notice is provided as prescribed
16 by subsection (b), 191 days after the date on
17 which the owner of the facility ceases to be
18 a public or nonprofit agency, school, or en-
19 tity as described in subparagraph (A), (B),
20 or (C) of subsection (a)(1), as the case may
21 be, or 191 days after the date on which the
22 use of the facility changes as described in
23 paragraph (2) or (3) of subsection (a); or

24 “(ii) if notice is not provided as pre-
25 scribed by subsection (b), 11 days after the

1 date on which such cessation or change of
2 use occurs,
3 and ending on the date the amount the United
4 States is entitled to recover is collected.

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

10 “(e) *LIEN.*—The right of recovery of the United States
11 under subsection (a) shall not, prior to judgment, constitute
12 a lien on any facility.”.

13 **SEC. 405. CLINICAL TRAINEESHIPS.**

14 Section 303(d)(1) of the Public Health Service Act (42
15 U.S.C. 242a(d)(1)) is amended by inserting “counseling,”
16 after “family therapy,”.

17 **SEC. 406. CONSTRUCTION OF REGIONAL CENTERS FOR RE-**
18 **SEARCH ON PRIMATES.**

19 Section 481B(a) of the Public Health Service Act (42
20 U.S.C. 287a-3(a)) is amended by striking “\$5,000,000”
21 and inserting “\$2,500,000”.

22 **SEC. 407. REQUIRED CONSULTATION BY SECRETARY.**

23 The Secretary of Health and Human Services, regard-
24 ing the programs under parts B, C, D, and E of title VII,

1 *and parts B, C, and D of title VIII, of the Public Health*
 2 *Service Act, as amended by this Act, shall—*

3 *(1) publish in the Federal Register a general*
 4 *program description for the funding of awards under*
 5 *such parts;*

6 *(2) solicit and receive written and oral com-*
 7 *ments concerning such description, including the*
 8 *holding of a public forum at which interested individ-*
 9 *uals and groups may provide comment; and*

10 *(3) take into consideration information received*
 11 *under paragraph (2).*

S 555 RS—2

S 555 RS—3

S 555 RS—4

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