

108TH CONGRESS
1ST SESSION

S. 1775

To make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.

IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 2003

Mr. BOND (for himself, Mr. KENNEDY, Mr. BINGAMAN, Mr. GRAHAM of South Carolina, and Mr. TALENT) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Care Safety
5 Net Amendments Technical Corrections Act of 2003”.

6 **SEC. 2. TECHNICAL AMENDMENTS.**

7 (a) HEALTH CENTERS.—

1 (1) IN GENERAL.—Section 330 of the Public
2 Health Service Act (42 U.S.C. 254b) is amended to
3 read as if—

4 (A) subparagraph (C) of the second para-
5 graph (4) of section 101 of Public Law 107–
6 251 had not been enacted;

7 (B) paragraph (7)(C) of such section 101
8 had not been enacted; and

9 (C) paragraphs (8) through (11) of such
10 section 101 had not been enacted.

11 (2) AMENDMENTS PER PUBLIC LAW 107–251.—
12 Section 330 of the Public Health Service Act (42
13 U.S.C. 254b), as amended by paragraph (1), is
14 amended—

15 (A) in subsection (c)(1)(B), in the matter
16 preceding clause (i), by striking “plan..” and
17 inserting “plan.”;

18 (B) in subsection (d)(1)(B)(iii), in sub-
19 clause (I), by adding “or” at the end;

20 (C) by striking subsection (k);

21 (D) by redesignating subsection (j) as sub-
22 section (k);

23 (E) by inserting after subsection (i) a sub-
24 section that is identical to the subsection (j)

1 that appears (as an amendment) in section
2 101(8)(C) of Public Law 107–251;

3 (F) by redesignating subsection (l) as sub-
4 section (r), by transferring it from its current
5 placement, and by inserting it after subsection
6 (q);

7 (G) by inserting before subsection (m) a
8 subsection that is identical to the subsection
9 that appears (as an amendment) in section
10 101(9) of Public Law 107–251, and by redesignig-
11 nating as subsection (l) the subsection that is
12 so inserted;

13 (H) in subsection (l) (as inserted and re-
14 designated by subparagraph (G) of this para-
15 graph), in the first sentence—

16 (i) by inserting after “shall provide”
17 the following: “(either through the Depart-
18 ment of Health and Human Services or by
19 grant or contract)”; and

20 (ii) by striking “(l)(3)” and inserting
21 “(k)(3)”;

22 (I) in subsection (p), by striking
23 “(j)(3)(G)” and inserting “(k)(3)(G)”; and

1 (J) in subsection (r) (as redesignated,
2 transferred, and inserted by subparagraph (F)
3 of this paragraph)—

4 (i) in paragraph (1), by striking
5 “\$802,124,000” and all that follows
6 through the period and inserting
7 “\$1,340,000,000 for fiscal year 2002 and
8 such sums as may be necessary for each of
9 the fiscal years 2003 through 2006.”;

10 (ii) in paragraph (2)(A)—

11 (I) by striking “(j)(3)” and in-
12 serting “(k)(3)”; and

13 (II) by striking “(j)(3)(G)(ii)”
14 and inserting “(k)(3)(H)”; and

15 (iii) in paragraph (2), by striking sub-
16 paragraph (B) and inserting a subpara-
17 graph that is identical to the subparagraph
18 (B) that appears (as an amendment) in
19 section 101(11)(B)(ii) of Public Law 107-
20 251.

21 (b) RURAL HEALTH OUTREACH.—Section
22 330A(b)(4) of the Public Health Service Act (42 U.S.C.
23 254c(b)(4)) is amended by striking “799B” and inserting
24 “799B(6)”.

1 (c) TELEHEALTH.—Section 330I of the Public
2 Health Service Act (42 U.S.C. 254e–14) is amended—

3 (1) in subsection (a)(4), by striking “799B”
4 and inserting “799B(6)”; and

5 (2) in subsection (c)(1), by striking “Health
6 and Resources and Services Administration” and in-
7 serting “Health Resources and Services Administra-
8 tion”.

9 (d) MENTAL HEALTH SERVICES VIA TELE-
10 HEALTH.—Section 330K of the Public Health Service Act
11 (42 U.S.C. 254e–16) is amended—

12 (1) in subsection (b)(2), by striking “subsection
13 (a)(4)” and inserting “subsection (a)(3)”; and

14 (2) in subsection (c)(1)—

15 (A) in subparagraph (A), by striking “sub-
16 section (a)(4)(A)” and inserting “subsection
17 (a)(3)(A)”; and

18 (B) in subparagraph (B), by striking “sub-
19 section (a)(4)(B)” and inserting “subsection
20 (a)(3)(B)”.

21 (e) TELEMEDICINE INCENTIVE GRANTS.—

22 (1) IN GENERAL.—Subpart I of part D of
23 title III of the Public Health Service Act (42
24 U.S.C. 254b et seq.) is amended by adding at
25 the end the following:

1 **“SEC. 330L. TELEMEDICINE; INCENTIVE GRANTS REGARD-**
2 **ING COORDINATION AMONG STATES.**

3 “(a) IN GENERAL.—The Secretary may make grants
4 to State professional licensing boards to carry out pro-
5 grams under which such licensing boards of various States
6 cooperate to develop and implement State policies that will
7 reduce statutory and regulatory barriers to telemedicine.

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the
9 purpose of carrying out subsection (a), there are author-
10 ized to be appropriated such sums as may be necessary
11 for each of the fiscal years 2002 through 2006.”.

12 (2) REPEAL.—Section 102 of the Health Care
13 Safety Net Amendments of 2002 (Public Law 107–
14 251) is repealed.

15 (f) HEALTH PROFESSIONAL SHORTAGE AREAS.—

16 (1) IN GENERAL.—Section 332 of the Public
17 Health Service Act (42 U.S.C. 254e) is amended—

18 (A) in subsection (a)(1)—

19 (i) by striking “such date of enact-
20 ment” and inserting “such date of designa-
21 tion”; and

22 (ii) by striking “, issued after the date
23 of enactment of this Act, that revise” and
24 inserting “regarding”; and

25 (B) in subsection (a)(3), by striking
26 “330(h)(4)” and inserting “330(h)(5)”;

1 (C) in subsection (b)(2), by striking “des-
2 gnation,.” and inserting “designation.”; and

3 (D) by adding at the end the following:

4 “(j)(1) The Secretary shall submit the report de-
5 scribed in paragraph (2) if the Secretary, acting through
6 the Administrator of the Health Resources and Services
7 Administration, issues—

8 “(A) a regulation that revises the definition of
9 a health professional shortage area for purposes of
10 this section; or

11 “(B) a regulation that revises the standards
12 concerning priority of such an area under section
13 333A.

14 “(2) On issuing a regulation described in paragraph
15 (1), the Secretary shall prepare and submit to the Com-
16 mittee on Energy and Commerce of the House of Rep-
17 resentatives and the Committee on Health, Education,
18 Labor, and Pensions of the Senate a report that describes
19 the regulation.

20 “(3) Each regulation described in paragraph (1) shall
21 take effect 180 days after the committees described in
22 paragraph (2) receive a report referred to in such para-
23 graph describing the regulation.”.

1 (2) REPEAL.—Subsection (b) of section 302 of
2 the Health Care Safety Net Amendments of 2002
3 (Public Law 107–251) is repealed.

4 (g) ASSIGNMENT OF CORPS PERSONNEL.—Section
5 333(a)(1) of the Public Health Service Act (42 U.S.C.
6 254f) is amended by moving subparagraph (C) so that the
7 margin of subparagraph (C) is aligned with the margins
8 of subparagraphs (A), (B), and (D).

9 (h) PRIORITIES IN ASSIGNMENT OF CORPS PER-
10 SONNEL.—Section 333A(c)(4) of the Public Health Serv-
11 ice Act (42 U.S.C. 254f–1(c)(4)) is amended by striking
12 “30 days” and inserting “30 days from such notification”.

13 (i) CHARGES FOR SERVICES.—Section 334(b)(1)(B)
14 of the Public Health Service Act (42 U.S.C.
15 254g(b)(1)(B)) is amended by inserting “the payment of”
16 after “applied to”.

17 (j) NATIONAL HEALTH SERVICE CORPS SCHOLAR-
18 SHIP PROGRAM.—Section 338A(d)(1) (42 U.S.C.
19 254l(d)(1)) is amended by moving subparagraph (B) so
20 that the margin of subparagraph (B) is aligned with the
21 margin of subparagraphs (A) and (C).

22 (k) NATIONAL HEALTH SERVICE CORPS LOAN RE-
23 PAYMENT PROGRAM.—Section 338B(e) of the Public
24 Health Service Act (42 U.S.C. 254l–1) is amended by
25 striking “PARTICIPATION.—” and all that follows through

1 “An individual” and inserting “PARTICIPATION.—An indi-
2 vidual”.

3 (l) BREACH OF CONTRACT.—

4 (1) IN GENERAL.—Section 338E of the Public
5 Health Service Act (42 U.S.C. 254o) is amended—

6 (A) in subsection (c)(1), by moving sub-
7 paragraphs (A), (B), and (C), and the flush
8 matter following subparagraph (C), 2 ems to
9 the left; and

10 (B) by adding at the end the following:

11 “(f) The amendment made by section 313(a)(4) of
12 the Health Care Safety Net Amendments of 2002 (Public
13 Law 107–251) shall apply to any obligation for which a
14 discharge in bankruptcy has not been granted before the
15 date that is 31 days after the date of enactment of such
16 Act.”.

17 (2) REPEAL.—Subsection (b) of section 313 of
18 the Health Care Safety Net Amendments of 2002
19 (Public Law 107–251) is repealed.

20 (m) MISCELLANEOUS.—The Public Health Service
21 Act (42 U.S.C. 201 et seq.) is amended—

22 (1) in subsections (g)(1)(G)(ii), (k)(2), and
23 (n)(1)(C) of section 224, and sections 317A(a)(2),
24 317E(c), and 318A(e), by striking “330, 330(h)”
25 and inserting “330”;

1 (2) in section 1313, by striking “329, 330, and
2 330(h)” and inserting “329 and 330”; and

3 (3) in section 2652(a)(2), by striking “section
4 340” and inserting “section 330(h)”.

5 (n) HEALTH CARE SAFETY NET AMENDMENTS OF
6 2002.—The Health Care Safety Net Amendments of 2002
7 (Public Law 107–251) is amended—

8 (1) in section 404(c)(5), by striking “Health
9 Care Financing Administration and the Health Re-
10 search” and inserting “Centers for Medicare & Med-
11 icaid Services and the Health Resources”; and

12 (2) in section 501, by striking “solvency for
13 managed care networks” and inserting “guarantees
14 of solvency for managed care networks or plans”.

15 **SEC. 3. EFFECTIVE DATE.**

16 This Act is deemed to have taken effect immediately
17 after the enactment of Public Law 107–251.

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