

Union Calendar No. 284

109TH CONGRESS
2^D SESSION

H. R. 5574

[Report No. 109-508]

To amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2006

Mr. DEAL of Georgia (for himself, Mr. BROWN of Ohio, Mr. MARKEY, Mr. GENE GREEN of Texas, Ms. BALDWIN, Mr. PITTS, Mr. RUSH, Mr. RADANOVICH, Mr. SHIMKUS, Mr. BURGESS, Mr. BASS, Mrs. CAPPS, Mr. MURPHY, Mr. INSLEE, Mr. PALLONE, Mr. GILLMOR, Mrs. BONO, Mr. UPTON, Mr. HALL, Mr. WAXMAN, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Energy and Commerce

JUNE 20, 2006

Additional sponsor: Mr. ROSS

JUNE 20, 2006

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on June 9, 2006]

A BILL

To amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

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 “Children’s Hospital*
5 *GME Support Reauthorization Act of 2006”.*

6 **SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN’S HOS-**
7 **PITALS THAT OPERATE GRADUATE MEDICAL**
8 **EDUCATION PROGRAMS.**

9 *(a) IN GENERAL.—Section 340E of the Public Health*
10 *Service Act (42 U.S.C. 256e) is amended—*

11 *(1) in subsection (a), by inserting “and each of*
12 *fiscal years 2007 through 2011” after “for each of fis-*
13 *cal years 2000 through 2005”;*

14 *(2) in subsection (f)(1)(A)—*

15 *(A) in clause (ii), by striking “and” at the*
16 *end;*

17 *(B) in clause (iii), by striking the period at*
18 *the end and inserting “; and”;* and

19 *(C) by adding at the end the following:*

20 *“(iv) for each of fiscal years 2007*
21 *through 2011, \$100,000,000.”; and*

22 *(3) in subsection (f)(2)—*

23 *(A) in the matter before subparagraph (A),*
24 *by striking “subsection (b)(1)(A)” and inserting*
25 *“subsection (b)(1)(B)”;*

1 (B) in subparagraph (B), by striking “and”
2 at the end;

3 (C) in subparagraph (C), by striking the
4 period at the end and inserting “; and”; and

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

6 “(D) for each of fiscal years 2007 through
7 2011, \$200,000,000.”.

8 (b) *REDUCTION IN PAYMENTS FOR FAILURE TO FILE*
9 *ANNUAL REPORT.*—Subsection (b) of section 340E of the
10 *Public Health Service Act (42 U.S.C. 256e) is amended—*

11 (1) in paragraph (1), in the matter before sub-
12 paragraph (A), by striking “paragraph (2)” and in-
13 serting “paragraphs (2) and (3)”; and

14 (2) by adding at the end the following:

15 “(3) *ANNUAL REPORTING REQUIRED.*—

16 “(A) *REDUCTION IN PAYMENT FOR FAILURE*
17 *TO REPORT.*—

18 “(i) *IN GENERAL.*—The amount pay-
19 able under this section to a children’s hos-
20 pital for a fiscal year (beginning with fiscal
21 year 2008 and after taking into account
22 paragraph (2)) shall be reduced by 25 per-
23 cent if the Secretary determines that—

24 “(I) the hospital has failed to pro-
25 vide the Secretary, as an addendum to

1 *the hospital’s application under this*
2 *section for such fiscal year, the report*
3 *required under subparagraph (B) for*
4 *the previous fiscal year; or*

5 *“(II) such report fails to provide*
6 *the information required under any*
7 *clause of such subparagraph.*

8 *“(ii) NOTICE AND OPPORTUNITY TO*
9 *PROVIDE MISSING INFORMATION.—Before*
10 *imposing a reduction under clause (i) on*
11 *the basis of a hospital’s failure to provide*
12 *information described in clause (i)(II), the*
13 *Secretary shall provide notice to the hos-*
14 *pital of such failure and the Secretary’s in-*
15 *tenion to impose such reduction and shall*
16 *provide the hospital with the opportunity to*
17 *provide the required information within a*
18 *period of 30 days beginning on the date of*
19 *such notice. If the hospital provides such in-*
20 *formation within such period, no reduction*
21 *shall be made under clause (i) on the basis*
22 *of the previous failure to provide such infor-*
23 *mation.*

24 *“(B) ANNUAL REPORT.—The report re-*
25 *quired under this subparagraph for a children’s*

1 *hospital for a fiscal year is a report that in-*
2 *cludes (in a form and manner specified by the*
3 *Secretary) the following information for the resi-*
4 *dency academic year completed immediately*
5 *prior to such fiscal year:*

6 *“(i) The types of resident training pro-*
7 *grams that the hospital provided for resi-*
8 *dents described in subparagraph (C), such*
9 *as general pediatrics, internal medicine/pe-*
10 *diatrics, and pediatric subspecialties, in-*
11 *cluding both medical subspecialties certified*
12 *by the American Board of Pediatrics (such*
13 *as pediatric gastroenterology) and non-med-*
14 *ical subspecialties approved by other med-*
15 *ical certification boards (such as pediatric*
16 *surgery).*

17 *“(ii) The number of training positions*
18 *for residents described in subparagraph (C),*
19 *the number of such positions recruited to*
20 *fill, and the number of such positions filled.*

21 *“(iii) The types of training that the*
22 *hospital provided for residents described in*
23 *subparagraph (C) related to the health care*
24 *needs of different populations, such as chil-*
25 *dren who are underserved for reasons of*

1 *family income or geographic location, in-*
2 *cluding rural and urban areas.*

3 “(iv) *The changes in residency train-*
4 *ing for residents described in subparagraph*
5 *(C) which the hospital has made during*
6 *such residency academic year (except that*
7 *the first report submitted by the hospital*
8 *under this subparagraph shall be for such*
9 *changes since the first year in which the*
10 *hospital received payment under this sec-*
11 *tion), including—*

12 “(I) *changes in curricula, train-*
13 *ing experiences, and types of training*
14 *programs, and benefits that have re-*
15 *sulted from such changes; and*

16 “(II) *changes for purposes of*
17 *training the residents in the measure-*
18 *ment and improvement of the quality*
19 *and safety of patient care.*

20 “(v) *The numbers of residents described*
21 *in subparagraph (C) who completed their*
22 *residency training at the end of such resi-*
23 *dency academic year and care for children*
24 *within the borders of the service area of the*
25 *hospital or within the borders of the State*

1 *in which the hospital is located. Such num-*
2 *bers shall be disaggregated with respect to*
3 *residents who completed residencies in gen-*
4 *eral pediatrics or internal medicine/pediat-*
5 *rics, subspecialty residencies, and dental*
6 *residencies.*

7 “(C) *RESIDENTS.*—*The residents described*
8 *in this subparagraph are those who—*

9 “(i) *are in full-time equivalent resident*
10 *training positions in any training program*
11 *sponsored by the hospital; or*

12 “(ii) *are in a training program spon-*
13 *sored by an entity other than the hospital,*
14 *but who spend more than 75 percent of*
15 *their training time at the hospital.*

16 “(D) *REPORT TO CONGRESS.*—*Not later*
17 *than the end of fiscal year 2011, the Secretary,*
18 *acting through the Administrator of the Health*
19 *Resources and Services Administration, shall*
20 *submit a report to the Congress—*

21 “(i) *summarizing the information sub-*
22 *mitted in reports to the Secretary under*
23 *subparagraph (B);*

24 “(ii) *describing the results of the pro-*
25 *gram carried out under this section; and*

1 “(iii) making recommendations for im-
2 provements to the program.”.

3 (c) *TECHNICAL AMENDMENTS.*—Section 340E of the
4 *Public Health Service Act (42 U.S.C. 256e)* is further
5 amended—

6 (1) in subsection (c)(2)(E)(ii), by striking “de-
7 scribed in subparagraph (C)(ii)” and inserting “ap-
8 plied under section 1886(d)(3)(E) of the Social Secu-
9 rity Act for discharges occurring during the preceding
10 fiscal year”;

11 (2) in subsection (e)(2), by striking the first sen-
12 tence; and

13 (3) in subsection (e)(3), by striking “made to
14 pay” and inserting “made and pay”.

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