112TH CONGRESS  S. 1505
1ST SESSION

To amend the Public Health Service Act to provide for the participation
of particular specialists, determined by the Secretary of Health and
Human Services to be directly related to the health needs stemming
from environmental health hazards that have led to its declaration as
a Public Health Emergency, to be eligible under the National Health
Service Corps in the National Health Service Corps Loan Repayment
Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Mr. Tester introduced the following bill; which was read twice and referred
to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to provide for the participation
of particular specialists, determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency, to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, 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,
SECTION 1. SHORT TITLE.
This Act may be cited as the “Health Emergencies Lack Provider Specialists Act of 2011”.

SEC. 2. FINDINGS.
Congress makes the following findings:

(1) In communities facing environmental health hazards that have been declared a public health emergency (pursuant to section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980), it is increasingly difficult for the health care facilities in those areas to recruit the specialists necessary to treat the particular health needs of the residents. As a result, these communities and their populations are medically underserved.

(2) Since 1970, the National Health Service Corps has helped communities recruit health care professionals who are committed to serving the needs of underserved populations.

SEC. 3. NATIONAL HEALTH SERVICE CORPS; PARTICIPATION OF SPECIALISTS IN LOAN REPAYMENT AND SCHOLARSHIP PROGRAMS.

(a) MISSION OF CORPS; DEFINITION OF PRIMARY HEALTH SERVICES.—Section 331(a)(3)(D) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(D)) is amended by striking “or mental health,” and inserting “mental
health, or specialists needed to serve in medically under-
served areas or populations that have needs for particular
specialists related to a public health emergency declaration
(pursuant to section 104(a) of the Comprehensive Envi-
ronmental Response, Compensation, and Liability Act of
1980) based upon environmental health hazard-related
health concerns.”.

(b) LOAN REPAYMENT PROGRAM.—Section 338B of
the Public Health Service Act (42 U.S.C. 254l–1) is
amended—

(1) in subsection (a)(1), by striking “and physi-
cian assistants;” and inserting “physician assistants,
and specialists related to the health needs of envi-
ronmental exposure affected individuals stemming
from its declaration as a public health emergency
(pursuant to section 104(a) of the Comprehensive
Environmental Response, Compensation, and Liabil-
ity Act of 1980);”;

(2) in subsection (b)(1)—

(A) in subparagraph (A), by inserting be-
fore the semicolon the following: “, or have been
determined by the Secretary to be a specialist
necessary to treat the particular health needs of
environmental exposure affected individuals in
an area that has been declared a public health
emergency (pursuant to section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980);";

(B) in subparagraph (B), by inserting "specialists related to the health needs of environmental exposure affected individuals stemming from its declaration as a public health emergency (pursuant to section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980)," after "mental health,"; and

(C) in subparagraph (C)(ii), by inserting "specialists related to the health needs of environmental exposure affected individuals stemming from its declaration as a public health emergency (pursuant to section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980)," after "dentistry,"; and

(3) by adding at the end the following:

"(i) **DEFINITION.**—In this section, the term ‘environmental exposure affected individual’ means any individual who—

“(1) is diagnosed with a medical condition caused by the exposure of the individual to a public..."
health hazard to which an emergency declaration applies, based on such medical conditions, diagnostic standards, and other criteria as the Secretary specifies;

“(2) as demonstrated in such manner as the Secretary determines appropriate, has been present for an aggregate total of 6 months in the geographic area subject to the emergency declaration involved, during a period determined appropriate by the Secretary; and

“(3) is determined under this section to meet the criteria described in this subsection.”.

(c) SCHOLARSHIP PROGRAM.—Section 338A of the Public Health Service Act (42 U.S.C. 254l) is amended—

(1) in subsection (a)(1), by striking “and physician assistants;” and inserting “physician assistants, and specialists related to the health needs of environmental exposure affected individuals stemming from its declaration as a public health emergency (pursuant to section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980);”; and

(2) in subsection (b)(1), by inserting before the semicolon the following: “, or have been determined by the Secretary to be a specialist necessary to treat
the particular health needs of environmental exposure affected individuals in an area that has been declared a public health emergency (pursuant to section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980); and

(3) by adding at the end the following:

“(i) In this section, the term ‘environmental exposure affected individual’ means any individual who—

“(1) is diagnosed with a medical condition caused by the exposure of the individual to a public health hazard to which an emergency declaration applies, based on such medical conditions, diagnostic standards, and other criteria as the Secretary specifies;

“(2) as demonstrated in such manner as the Secretary determines appropriate, has been present for an aggregate total of 6 months in the geographic area subject to the emergency declaration involved, during a period determined appropriate by the Secretary; and

“(3) is determined under this section to meet the criteria described in this subsection.”.