

Union Calendar No. 171

116TH CONGRESS
1ST SESSION

H. R. 728

[Report No. 116-216]

To amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mr. JOYCE of Ohio (for himself, Ms. GABBARD, Mr. RODNEY DAVIS of Illinois, Ms. BONAMICI, Ms. MATSUI, Ms. CASTOR of Florida, Mr. MCKINLEY, and Ms. UNDERWOOD) introduced the following bill; which was referred to the Committee on Energy and Commerce

SEPTEMBER 24, 2019

Additional sponsors: Mr. FITZPATRICK, Ms. NORTON, Mr. COHEN, Ms. CLARKE of New York, Ms. BLUNT ROCHESTER, Mr. LIPINSKI, Ms. ROYBAL-ALLARD, Mr. DEFAZIO, Mr. POCAN, Mr. TAKANO, Mr. PAYNE, Mr. GALLEGRO, Mr. KHANNA, Mr. PRICE of North Carolina, Mr. SABLAN, Mr. YOUNG, Mrs. WATSON COLEMAN, Mrs. BEATTY, Mr. RUSH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RYAN, Mr. LOEBSACK, Mr. AGUILAR, Mr. HECK, Ms. HERRERA BEUTLER, Mr. COURTNEY, Ms. JOHNSON of Texas, Mrs. DINGELL, Mr. YARMUTH, Mr. STIVERS, Mr. SEAN PATRICK MALONEY of New York, Mr. CARSON of Indiana, Ms. KUSTER of New Hampshire, Mr. TURNER, Mr. DESAULNIER, Ms. PINGREE, Mr. GONZALEZ of Ohio, Mr. CISNEROS, Ms. HILL of California, Mr. PAPPAS, Mr. JOHNSON of Georgia, Mr. COLE, Ms. WILD, Mr. O'HALLERAN, Mr. HIGGINS of New York, Mr. LAMBORN, Mr. KILMER, Ms. MCCOLLUM, Ms. MOORE, Ms. LOFGREN, Mr. VISCLOSKY, Mr. ROSE of New York, Mr. TONKO, Mr. MOULTON, Mr. CASE, Mrs. NAPOLITANO, Mr. COOPER, Mr. LEWIS, Ms. SPEIER, Ms. JACKSON LEE, Mr. GOHMERT, Mr. RUPPERSBERGER, Mr. RUTHERFORD, Mr. THOMPSON of Mississippi, Mr. KIND, Mr. HARDER of California, Mr. KATKO, Mr. RASKIN, Mr. BEYER, Ms. MENG, Mr. WATKINS, Ms. FINKENAUER, Mrs. DAVIS of California, Mr. SCHIFF, Mr. BILIRAKIS, Ms. CRAIG, Mr. GOLDEN, Ms. MUCARSEL-POWELL, Mr. KINZINGER, Ms. SCANLON, Mr. KENNEDY,

Mrs. LURIA, Ms. KAPTUR, Mr. GRIJALVA, Mr. THOMPSON of Pennsylvania, Ms. TITUS, Mr. VAN DREW, Ms. BARRAGÁN, Mr. LUJÁN, Ms. JUDY CHU of California, Ms. VELÁZQUEZ, Mr. STAUBER, Mr. MCGOVERN, Ms. DEGETTE, Ms. DAVIDS of Kansas, Ms. DELBENE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SUOZZI, Mr. KING of New York, Mr. MULLIN, Ms. LEE of California, Mr. DELGADO, Mr. BLUMENAUER, Miss RICE of New York, Mr. LAWSON of Florida, Mr. PERLMUTTER, Mr. ROUDA, Ms. FUDGE, Mr. CROW, Mr. ALLRED, Mr. LEVIN of California, Mr. CUMMINGS, Mr. TED LIEU of California, Mr. DAVID SCOTT of Georgia, Mr. CASTEN of Illinois, Mr. WALDEN, Ms. KENDRA S. HORN of Oklahoma, Mr. LYNCH, Mr. PETERS, Ms. SCHAKOWSKY, Mr. LARSON of Connecticut, Mr. MORELLE, and Ms. SPANBERGER

SEPTEMBER 24, 2019

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 January 23, 2019]

A BILL

To amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
 5 *“Title VIII Nursing Workforce Reauthorization Act of*
 6 *2019”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 8 *Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. General provisions.

Sec. 3. Nurse practitioners, nurse midwives, nurse anesthetists, and other ad-
vanced education nurses.

Sec. 4. Increasing nursing workforce diversity.

Sec. 5. Strengthening capacity for basic nurse education and practice.

Sec. 6. Student loans.

Sec. 7. National Advisory Council on Nurse Education and Practice.

Sec. 8. Other provisions.

9 **SEC. 2. GENERAL PROVISIONS.**

10 (a) *APPLICATION.*—*Section 802(c) of the Public*
 11 *Health Service Act (42 U.S.C. 296a(c)) is amended by strik-*
 12 *ing “shall address relevant national nursing needs that the*
 13 *project will meet” and inserting “shall address relevant na-*
 14 *tional nursing needs that the project will address and how*
 15 *the project aligns with the national nursing service goals*
 16 *referred to in section 806(a)”.*

17 (b) *USE OF FUNDS.*—*Section 803 of the Public Health*
 18 *Service Act (42 U.S.C. 296b) is amended by adding at the*
 19 *end the following:*

20 *“(c) SUPPLEMENT NOT SUPPLANT.—Funds awarded*
 21 *as a grant under this title for a project or activity shall*

1 *be used to supplement, not supplant, the non-Federal funds*
2 *that would otherwise be made available for such project or*
3 *activity.”.*

4 *(c) GENERALLY APPLICABLE PROVISIONS.—Section*
5 *806 of the Public Health Service Act (42 U.S.C. 296e) is*
6 *amended—*

7 *(1) in subsection (b), by amending paragraph*
8 *(2) to read as follows:*

9 *“(2) EVALUATIONS.—The Secretary shall estab-*
10 *lish procedures to ensure the annual evaluation of*
11 *programs and projects operated by recipients of*
12 *grants under this title. Such procedures shall ensure*
13 *that continued funding for such programs and*
14 *projects will be conditioned upon the submission of—*

15 *“(A) data demonstrating that satisfactory*
16 *progress has been made by the program or*
17 *project in meeting the performance outcome*
18 *standards (as described in section 802) of such*
19 *program or project; and*

20 *“(B) a detailed description of activities con-*
21 *ducted by such program or project to meet such*
22 *performance outcome standards.”;*

23 *(2) in subsection (e)(2), by inserting “, and have*
24 *relevant expertise and experience” after “who are not*
25 *officers or employees of the Federal Government”; and*

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

2 “(i) *ANNUAL REPORT ON NURSING WORKFORCE PRO-*
3 *GRAMS.—Annually, the Secretary shall submit to the Com-*
4 *mittee on Health, Education, Labor, and Pensions of the*
5 *Senate, and the Committee on Energy and Commerce of*
6 *the House of Representatives, a report containing an assess-*
7 *ment of the programs and activities of the Department of*
8 *Health and Human Services related to enhancing the nurs-*
9 *ing workforce, including the extent to which programs and*
10 *activities under this title meet identified goals and perform-*
11 *ance measures developed for the respective programs and*
12 *activities.”.*

13 **SEC. 3. NURSE PRACTITIONERS, NURSE MIDWIVES, NURSE**
14 **ANESTHETISTS, AND OTHER ADVANCED EDU-**
15 **CATION NURSES.**

16 *Section 811 of the Public Health Service Act (42*
17 *U.S.C. 296j) is amended—*

18 (1) *in subsection (b)—*

19 (A) *by striking “R.N./Master’s” and insert-*
20 *ing “R.N./graduate”; and*

21 (B) *by inserting “clinical nurse leaders,”*
22 *before “or public health nurses”;*

23 (2) *by redesignating subsections (f) and (g) as*
24 *subsections (g) and (h), respectively;*

1 (3) by inserting after subsection (e) the following
2 new subsection:

3 “(f) *AUTHORIZED CLINICAL NURSE SPECIALIST PRO-*
4 *GRAMS.—Clinical nurse specialist programs eligible for*
5 *support under this section are education programs that—*

6 “(1) *provide registered nurses with full-time*
7 *clinical nurse specialist education; and*

8 “(2) *have as their objective the education of clin-*
9 *ical nurse specialists who will upon completion of*
10 *such a program be qualified to effectively provide care*
11 *through the wellness and illness continuum to inpa-*
12 *tients and outpatients experiencing acute and chronic*
13 *illness.”; and*

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

15 “(i) *AUTHORIZATION OF APPROPRIATIONS.—There are*
16 *authorized to be appropriated to carry out this section*
17 *\$77,585,000 for each of fiscal years 2020 through 2024.”.*

18 **SEC. 4. INCREASING NURSING WORKFORCE DIVERSITY.**

19 *Section 821 of the Public Health Service Act (42*
20 *U.S.C. 296m) is amended by adding at the end the fol-*
21 *lowing:*

22 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There*
23 *are authorized to be appropriated to carry out this section*
24 *\$18,037,000 for each of fiscal years 2020 through 2024.”.*

1 **SEC. 5. STRENGTHENING CAPACITY FOR BASIC NURSE EDU-**
2 **CATION AND PRACTICE.**

3 (a) *NURSE EDUCATION, PRACTICE, QUALITY, AND RE-*
4 *TENTION GRANTS.*—Section 831 of the Public Health Serv-
5 *ice Act (42 U.S.C. 296p) is amended—*

6 (1) *in the section heading, by striking “AND*
7 **QUALITY”** and inserting **“QUALITY, AND RETEN-**
8 **TION”**;

9 (2) *in subsection (b), by amending paragraph*
10 *(2) to read as follows:*

11 “(2) *providing care for underserved populations*
12 *and high-risk groups, which may include the elderly,*
13 *individuals with HIV/AIDS, individuals with mental*
14 *health or substance use disorders, individuals who are*
15 *homeless, and victims and survivors of domestic vio-*
16 *lence;”;*

17 (3) *in subsection (c), by amending paragraph*
18 *(1) to read as follows:*

19 “(1) **GRANTS FOR CAREER LADDER PRO-**
20 **GRAMS.**—*The Secretary may award grants to and*
21 *enter into contracts with eligible entities for pro-*
22 *grams—*

23 “(A) *to promote career advancement for—*

24 “(i) *nursing personnel in a variety of*
25 *training settings, cross training or specialty*
26 *training among diverse population groups,*

1 *and the advancement of individuals, includ-*
2 *ing to become professional registered nurses,*
3 *advanced practice registered nurses, and*
4 *nurses with graduate nursing education;*
5 *and*

6 “(ii) *individuals, including licensed*
7 *practical nurses, licensed vocational nurses,*
8 *certified nurse assistants, and diploma de-*
9 *gree or associate degree nurses, to become*
10 *baccalaureate-prepared registered nurses or*
11 *nurses with graduate nursing education;*

12 “(B) *to assist individuals in obtaining edu-*
13 *cation and training required to enter the nurs-*
14 *ing profession and advance within such profes-*
15 *sion, such as by providing career counseling and*
16 *mentoring; and*

17 “(C) *to develop and implement internships,*
18 *accredited fellowships, and accredited residency*
19 *programs in collaboration with one or more ac-*
20 *credited schools of nursing to encourage men-*
21 *toring and development of specialties.”;*

22 (4) *by striking subsection (e) (relating to pref-*
23 *erence);*

24 (5) *by redesignating subsections (f) through (h)*
25 *as subsections (e) and (g), respectively;*

1 (6) in subsection (e), as so redesignated, by strik-
2 ing “The Secretary shall submit to the Congress before
3 the end of each fiscal year a” and inserting “As part
4 of the report on nursing workforce programs described
5 in section 806(i), the Secretary shall”;

6 (7) by amending subsection (f), as redesignated
7 by paragraph (5), to read as follows:

8 “(f) *DEFINITIONS.*—For purposes of this section:

9 “(1) *ELIGIBLE ENTITY.*—The term ‘eligible enti-
10 ty’ includes an accredited school of nursing, a health
11 care facility, a partnership of such a school and facil-
12 ity, a federally qualified health center, or a nurse-
13 managed health clinic.

14 “(2) *NURSE-MANAGED HEALTH CLINIC.*—The
15 term ‘nurse-managed health clinic’ means a nurse-
16 practice arrangement, managed by advanced practice
17 nurses, that provides primary care or wellness serv-
18 ices to underserved or vulnerable populations that is
19 associated with a school, college, university or depart-
20 ment of nursing, federally qualified health center, or
21 independent nonprofit health or social services agen-
22 cy.”; and

23 (8) in subsection (g), as redesignated by para-
24 graph (5), by striking “such sums as may be nec-
25 essary for each of fiscal years 2010 through 2014”

1 and inserting “\$43,590,000 for each of fiscal years
2 2020 through 2024”.

3 (b) *NURSE RETENTION GRANTS*.—Section 831A of the
4 *Public Health Service Act* (42 U.S.C. 296p–1) is repealed.

5 **SEC. 6. STUDENT LOANS.**

6 (a) *LOAN REPAYMENT AND SCHOLARSHIP PRO-*
7 *GRAMS*.—Section 846 of the *Public Health Service Act* (42
8 *U.S.C. 297n*) is amended—

9 (1) in subsection (b)(1), by striking “he began
10 such practice” and inserting “the individual began
11 such practice”;

12 (2) in subsection (d)(1), by striking “(for fiscal
13 years 2003 and 2004) and may (for fiscal years there-
14 after)”;

15 (3) in subsection (h), in the matter preceding
16 paragraph (1), by striking “Not later than” through
17 “regarding” and inserting “The annual report on
18 nursing workforce programs, as required by section
19 806(i), shall include information regarding the pro-
20 grams carried out under this section, including”; and

21 (4) in subsection (i)(1), by striking “such sums
22 as may be necessary for each of fiscal years 2003
23 through 2007” and inserting “\$90,620,000 for each of
24 fiscal years 2020 through 2024”.

1 (b) *NURSE FACULTY LOAN PROGRAM.*—Section
2 846A(f) of the Public Health Service Act (42 U.S.C. 297n–
3 1(f)) is amended by striking “such sums as may be nec-
4 essary for each of fiscal years 2010 through 2014” and in-
5 serting “\$29,640,000 for each of fiscal years 2020 through
6 2024”.

7 **SEC. 7. NATIONAL ADVISORY COUNCIL ON NURSE EDU-**
8 **CATION AND PRACTICE.**

9 Section 851 of the Public Health Service Act (42
10 U.S.C. 297t) is amended—

11 (1) in subsection (b)(1)(A)(iv), by striking “and
12 nurse anesthetists” and inserting “nurse anesthetists,
13 and clinical nurse specialists”;

14 (2) in subsection (d), by amending paragraph
15 (3) to read as follows:

16 “(3) not later than 2 years after the date of en-
17 actment of the Title VIII Nursing Workforce Reau-
18 thorization Act of 2019, and every 2 years thereafter,
19 prepare and submit to the Secretary, the Committee
20 on Health, Education, Labor, and Pensions of the
21 Senate, and the Committee on Energy and Commerce
22 of the House of Representatives, a report describing
23 the activities of the Council, including findings and
24 recommendations made by the Council concerning the
25 activities under this title.”; and

1 (3) in subsection (g), by striking “under this
2 title” and inserting “for carrying out parts B, C, and
3 D of this title”.

4 **SEC. 8. OTHER PROVISIONS.**

5 (a) *PUBLIC SERVICE ANNOUNCEMENTS.*—Part G of
6 title VIII of the Public Health Service Act (42 U.S.C. 297w
7 et seq.) is repealed.

8 (b) *FUNDING.*—Part I of title VIII of the Public Health
9 Service Act (42 U.S.C. 298d) is repealed.

10 (c) *ELIMINATING LIMITATION ON ASSIGNMENT.*—Sec-
11 tion 846(a) of the Public Health Service Act (42 U.S.C.
12 297n(a)) is amended, in the matter following paragraph
13 (3), by striking “After fiscal year 2007,” and all that fol-
14 lows through the period at the end.

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