

Public Law 99-280
99th Congress

An Act

To amend the Public Health Service Act to revise and extend the programs of assistance for primary health care.

Apr. 24, 1986
[S. 1282]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Health Services
Amendments
Act of 1986.

SECTION 1. SHORT TITLE: REFERENCE TO ACT.

(a) **SHORT TITLE.**—This Act may be cited as the “Health Services Amendments Act of 1986”.

42 USC 201 note.

(b) **REFERENCE TO ACT.**—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act.

42 USC 201 note.

SEC. 2. MEDICALLY UNDERSERVED POPULATIONS.

Section 330(b) (42 U.S.C. 254c(b)) is amended—

(1) by striking out the second, third, fourth, and fifth sentences of paragraph (3); and

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

“(4) In carrying out paragraph (3), the Secretary shall by regulation prescribe criteria for determining the specific shortages of personal health services of an area or population group. Such criteria shall—

Regulations.

“(A) take into account comments received by the Secretary from the chief executive officer of a State and local officials in a State; and

State and local
governments.

“(B) include infant mortality in an area or population group, other factors indicative of the health status of a population group or residents of an area, the ability of the residents of an area or of a population group to pay for health services and their accessibility to them, and the availability of health professionals to residents of an area or to a population group.

Children and
youth.

“(5) The Secretary may not designate a medically underserved population in a State or terminate the designation of such a population unless, prior to such designation or termination, the Secretary provides reasonable notice and opportunity for comment and consults with—

State and local
governments.

“(A) the chief executive officer of such State;

“(B) local officials in such State; and

“(C) the State organization, if any, which represents a majority of community health centers in such State.

“(6) The Secretary may designate a medically underserved population that does not meet the criteria established under paragraph (4) if the chief executive officer of the State in which such population is located and local officials of such State recommend the designation of such population based on unusual local conditions which are a barrier to access to or the availability of personal health services.”.

State and local
governments.

SEC. 3. MEMORANDUM OF AGREEMENT.

Section 330 (42 U.S.C. 254c) is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

“(h) In carrying out this section, the Secretary may enter into a memorandum of agreement with a State. Such memorandum may include, where appropriate, provisions permitting such State to—

“(1) analyze the need for primary health services for medically underserved populations within such State;

“(2) assist in the planning and development of new community health centers;

“(3) review and comment upon annual program plans and budgets of community health centers, including comments upon allocations of health care resources in the State;

“(4) assist community health centers in the development of clinical practices and fiscal and administrative systems through a technical assistance plan which is responsive to the requests of community health centers; and

“(5) share information and data relevant to the operation of new and existing community health centers.”

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Paragraphs (1) and (2) of section 330(g) are amended to read as follows:

“(1) There are authorized to be appropriated for payments pursuant to grants under this section \$400,000,000 for fiscal year 1987 and \$400,000,000 for fiscal year 1988.

“(2) The Secretary may not in any fiscal year—

“(A) expend for grants to serve medically underserved populations designated under subsection (b)(6) an amount which exceeds 5 percent of the funds appropriated under this section for that fiscal year; and

“(B) expend for grants under subsection (d)(1)(C) an amount which exceeds 5 percent of the funds appropriated under this section for that fiscal year.”

SEC. 5. PRIMARY CARE BLOCK GRANTS.

Part C of title XIX (42 U.S.C. 300y—300y-11) is repealed.

SEC. 6. MIGRANT HEALTH CENTERS.

The first sentence of section 329(h)(1) (42 U.S.C. 254b(h)(1)) is amended by striking out “and” after “1983,” and by inserting before the period a comma and “\$45,400,000 for fiscal year 1987 and \$45,400,000 for fiscal year 1988”.

Contracts.
State and local
governments.

Grants.

SEC. 7. TECHNICAL AMENDMENT.

Section 329(d)(2) (42 U.S.C. 254b(d)(2)) is amended by inserting before the semicolon "and the costs of repaying loans made by the Farmers Home Administration for buildings". Loans.

Approved April 24, 1986.

LEGISLATIVE HISTORY—S. 1282 (H.R. 2418):

HOUSE REPORTS: No. 99-157 accompanying H.R. 2418 (Comm. on Energy and Commerce).

SENATE REPORTS: No. 99-104 (Comm. on Labor and Human Resources).

CONGRESSIONAL RECORD:

Vol. 131 (1985): July 19, considered and passed Senate.

Vol. 132 (1986): Mar. 5, H.R. 2418 considered and passed House; S. 1282, amended, passed in lieu.

Apr. 11, Senate concurred in House amendment.