

Public Law 911

CHAPTER 871

AN ACT

August 2, 1956
[S. 3958]

To improve the health of the people by assisting in increasing the number of adequately trained professional and practical nurses and professional public health personnel, assisting in the development of improved methods of care and treatment in the field of mental health, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health Amendments Act of 1956".

Health Amend-
ments Act of 1956.TITLE I—GRADUATE TRAINING OF PROFESSIONAL
PUBLIC HEALTH PERSONNEL

TRAINEESHIPS

SEC. 101. Title III of the Public Health Service Act (42 U. S. C., ch. 6A, subch. II) is amended by adding at the end of part A the following new section:

Ante, p. 490.

"TRAINEESHIPS FOR PROFESSIONAL PUBLIC HEALTH PERSONNEL

"SEC. 306. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the next two fiscal years, such sums as the Congress may determine, to cover the cost of traineeships for graduate or specialized training in public health for physicians, engineers, nurses, and other professional health personnel.

"(b) Traineeships under this section may be awarded by the Surgeon General either (1) directly to individuals whose applications for admission have been accepted by the public or other nonprofit institutions providing the training, or (2) through grants to such institutions.

"(c) Payments under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Surgeon General finds necessary. Such payments to institutions may be used only for traineeships, and payments under this section with respect to any traineeship shall be limited to such amounts as the Surgeon General finds necessary to cover the cost of tuition and fees, and a stipend and allowances (including travel and subsistence expenses) for the trainee.

"(d) The Surgeon General shall appoint an expert advisory committee, composed of persons representative of the principal health specialties in the fields of public health administration and training, to advise him in connection with the administration of this section, including the development of program standards and policies. Members of such committee who are not otherwise in the employ of the United States, while attending meetings of the committee or otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding \$50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

60 Stat. 808; 69
Stat. 394.

"(e) The Surgeon General shall, between June 30, 1958, and December 1, 1958, call a conference broadly representative of the professional and training groups interested in and informed about training of professional public health personnel, and including members of the advisory committee appointed pursuant to subsection (d), to assist him in appraising the effectiveness of the traineeships under this section in

Report to Con-
gress.

meeting the needs for trained public health personnel; in considering modifications in this section, if any, which may be desirable to increase its effectiveness; and in considering the most effective distribution of responsibilities between Federal and State governments with respect to the administration and support of public health training. The Surgeon General shall submit to the Congress, on or before January 1, 1959, a report of such conference, including any recommendations by it relating to the limitation, extension, or modification of this section.

“(f) Except as otherwise provided in this section, nothing contained in this section shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the personnel or curriculum of any training institution.”

EFFECTIVE DATE

SEC. 102. The amendment made by this title shall become effective July 1, 1956.

TITLE II—ADVANCED TRAINING OF PROFESSIONAL NURSES

TRAINEESHIPS

SEC. 201. Title III of the Public Health Service Act (42 U. S. C., ch. 6A, subch. II) is amended by adding after section 306 (added by section 101 of this Act) the following new section:

“TRAINEESHIPS FOR ADVANCED TRAINING OF PROFESSIONAL NURSES

“SEC. 307. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the next two fiscal years, such sums as the Congress may determine, to cover the cost of traineeships for the training of professional nurses to teach in the various fields of nurse training (including practical nurse training) or to serve in an administrative or supervisory capacity.

“(b) Traineeships under this section shall be awarded by the Surgeon General through grants to public or other nonprofit institutions providing the training.

“(c) Payments to institutions under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions as the Surgeon General finds necessary. Such payments may be used only for traineeships and shall be limited to such amounts as the Surgeon General finds necessary to cover the costs of tuition and fees, and a stipend and allowances (including travel and subsistence expenses) for the trainees.

“(d) The Surgeon General shall appoint an expert advisory committee, composed of persons from the fields of nursing and nurse training, hospital administration, and medicine, to advise him in connection with the administration of this section, including the development of program standards and policies. Members of such committee who are not otherwise in the employ of the United States, while attending meetings of the committee or otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding \$50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

“(e) The Surgeon General shall, between June 30, 1958, and December 1, 1958, call a conference broadly representative of the professional and training groups interested in and informed about the advanced training of professional nurses, and including members of the advisory committee appointed pursuant to subsection (d), to assist him in appraising the effectiveness of the traineeships under this section in meeting the needs for professional nurses in teaching, administrative, and supervisory positions and in considering modifications in this section, if any, which may be desirable to increase its effectiveness, including possible means of stimulating State participation in the administration and financing of advanced training of professional nurses through Federal matching grants to States for the support of traineeships or related training activities, or otherwise. The Surgeon General shall submit to the Congress, on or before January 1, 1959, a report of such conference, including any recommendations by it relating to the limitation, extension, or modification of this section.

Report to Congress.

“(f) Except as otherwise provided in this section, nothing contained in this section shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the personnel or curriculum of any training institution.”

EFFECTIVE DATE

SEC. 202. The amendment made by this title shall become effective July 1, 1956.

TITLE III—PRACTICAL NURSE TRAINING

AMENDMENTS TO VOCATIONAL EDUCATION ACT

SEC. 301. The Vocational Education Act of 1946, as amended (20 U. S. C. 15i–15m, 15o–15q), is amended by inserting:

60 Stat. 775.

“TITLE I—VOCATIONAL EDUCATION IN AGRICULTURE, HOME ECONOMICS, TRADES AND INDUSTRY, AND DISTRIBUTIVE OCCUPATIONS”

immediately above the heading of section 1 of such Act, by changing the words “this Act” wherever they appear in such Act to read “this title”, and by adding immediately after section 9 the following new title:

“TITLE II—VOCATIONAL EDUCATION IN PRACTICAL NURSE TRAINING

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 201. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the next four fiscal years a sum not to exceed \$5,000,000, for grants to States with State plans to extend and improve practical nurse training approved pursuant to section 203.

“GRANTS TO STATES FOR EXTENSION AND IMPROVEMENT OF PRACTICAL
NURSE TRAINING

64 Stat. 27.

“SEC. 202. (a) From the sums appropriated for any fiscal year pursuant to section 201, each State shall be entitled to an allotment of an amount bearing the same ratio to such sums as the total of the amounts apportioned under title I and the Act of March 18, 1950 (20 U. S. C. 31–33) to such State for such year bears to the total of the amounts so apportioned to all the States for such year. The allotment to any State under the preceding sentence for a fiscal year which is less than \$10,000 (or, in the case of the Virgin Islands, which is less than \$5,000) shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

“(b) The amount of any allotment to a State under subsection (a) for any fiscal year which the State certifies to the Commissioner will not be required for carrying out the State plan (if any) approved under this title, shall be available for reallocation from time to time, on such dates as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year. Any amount so reallocated to a State shall be deemed part of its allotment under subsection (a).

“(c) From each State's allotment under this section for any fiscal year, the Commissioner shall pay to such State a portion of the cost of carrying out the State plan approved under this title. To the extent permitted by the State's allotment under subsection (a) for any fiscal year, the portion of the cost of carrying out the State plan paid under this section shall be 75 per centum of such cost in the case of the fiscal year ending June 30, 1957, and the fiscal year ending June 30, 1958, and 50 per centum of such cost in the case of each of the next three fiscal years.

“STATE PLANS

“SEC. 203. (a) To be approvable under this title, a State plan to extend and improve practical nurse training shall—

“(1) designate the State board as the sole agency for the administration of the plan or for the supervision of administration of the plan by local educational agencies;

“(2) provide that the individual supervising the functions of the State board under the plan shall be a registered professional nurse or shall have the consultative services of a registered professional nurse available to him;

“(3) show the plans, policies, and methods to be followed in extending and improving practical nurse training under the State plan, and in administering and supervising the administration of the plan, and provide such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the plan;

“(4) contain minimum qualifications for teachers, teacher-trainers, supervisors, and directors; and

“(5) provide that the State board will make such reports, in such form and containing such information, as the Commissioner may from time to time reasonably require to carry out his functions under this title, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall approve any plan which he finds fulfills the conditions specified in subsection (a) of this section.

"(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this section, finds that—

"(1) the State plan has been so changed that it no longer complies with a requirement of subsection (a) of this section; or

"(2) in the administration of the plan there is a failure to comply substantially with such a requirement; the Commissioner shall notify such State agency that no further payments will be made to the State from its allotments under section 202 (or, in his discretion, that further payments will not be made to the State for parts of the State plan affected by such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Commissioner shall make no further payments to such State from its allotments under section 202 (or shall limit payments to parts of the State plan in which there is no such failure).

"(d) (1) If any State is dissatisfied with the Commissioner's action under subsection (c) of this section, such State may appeal to the United States court of appeals for the circuit in which the State is located. The summons and notice of appeal may be served at any place in the United States.

Jurisdiction of court.

"(2) The findings of fact by the Commissioner, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"(5) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

62 Stat. 928.

"METHOD OF MAKING AND COMPUTING PAYMENTS

"SEC. 204. The method of computing and paying amounts pursuant to section 202 shall be as follows: The Commissioner shall, prior to the beginning of each calendar quarter or other period prescribed by him, estimate the amount to be paid to each State under the provisions of such section for such period; and shall pay to the State, from the allotment available therefor, the amount so estimated by him for such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this section) by which he finds that his estimate of the amount to be paid the State for any prior period under such section was greater or less than the amount which should have been paid to the State for such prior period under such section. Such payments shall be made in such installments as the Commissioner may determine.

"ADMINISTRATION

"SEC. 205. (a) In carrying out his duties under this title, the Commissioner shall—

"(1) make studies, investigations, and reports with respect to matters relating to practical nurse training;

"(2) cooperate with and render technical assistance to States in matters relating to practical nurse training; and

“(3) disseminate information as to the studies, investigations, and reports referred to in paragraph (1) and other matters relating to practical nurse training.

“(b) The Commissioner is authorized to make rules and regulations governing the administration of this title and to delegate to any officer or employee of the Office of Education such of his powers and duties, except the making of rules and regulations, as he finds necessary.

“ADVISORY COMMITTEES

“SEC. 206. (a) The Commissioner is authorized to appoint an advisory committee or committees to advise him on matters of general policy in connection with the administration of this title.

“(b) Members of any such committee who are not otherwise in the employ of the United States, while attending meetings or conferences of their committee or otherwise serving at the request of the Commissioner, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding \$50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

60 Stat. 808; 69
Stat. 394.

“EFFECT ON OTHER LAWS

“SEC. 207. Nothing in this title shall in any way affect the availability for practical nurse training of amounts paid the States under the Act of February 23, 1917 (39 Stat. 929) as amended and extended, or title I of this Act, as amended and extended.

20 USC 11-28.

“REPORTS

“SEC. 208. The Commissioner shall include in his annual report a full report of the administration of this title.

“AUTHORIZATION OF APPROPRIATIONS FOR ADMINISTRATION

“SEC. 209. There are hereby authorized to be included for each fiscal year in the appropriations for the Department of Health, Education, and Welfare such sums as are necessary to administer the provisions of this title.

“DEFINITIONS

“SEC. 210. For purposes of this title—

“(a) The term ‘Commissioner’ means the Commissioner of Education.

“(b) The term ‘practical nurse training’ means training of less than college grade which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control and is conducted as part of a program designed to fit individuals, engaged in or preparing to engage in employment as practical nurses, for such employment. The term includes also training of a similar nature, which is of less than college grade and is given and conducted as provided above, designed to fit individuals engaged or preparing to engage in other health occupations in hospitals or other health agencies, for such occupations. In addition, the term includes vocational guidance in connection with any such program and the in-service training of teachers, teacher-trainers, supervisors, and directors for any such program, but does not include courses which have only incidental relationship to the specialized training needed by an

individual for useful employment as a practical nurse or in such other health occupations.

"(c) The term 'practical nurse' means a person who is trained to care for subacute, convalescent, and chronic patients under the direction of a licensed physician or under the supervision of a registered nurse, or to assist a registered nurse in the care of acute illness.

"(d) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public secondary schools in a county, township, independent, or other school district, or having such control and direction over vocational education in such schools.

"(e) The term 'State' includes Alaska, Hawaii, the Virgin Islands, Puerto Rico, and the District of Columbia.

"(f) The term 'State board' means the State board of vocational education, or the State board primarily responsible for the supervision of public elementary and secondary schools, as designated in the State plan.

"(g) The cost of administration of a State plan for practical nurse training may not include any portion of the cost of the purchase, preservation, erection, or repair of any building or buildings or the purchase or rental of any land."

TITLE IV—EXTENSION OF THE HOSPITAL SURVEY AND CONSTRUCTION ACT

SEC. 401. The first sentence of section 621 of the Public Health Service Act is amended by striking out "seven" and inserting in lieu thereof "nine".

67 Stat. 196.
42 USC 291d.

SEC. 402. Section 651 of such Act is amended by striking out "two" and inserting in lieu thereof "four".

68 Stat. 462.
42 USC 291s.

TITLE V—MENTAL HEALTH

SPECIAL PROJECT GRANTS

SEC. 501. Section 303 of the Public Health Service Act (42 U. S. C. 242a) is amended to read as follows:

60 Stat. 423.

"MENTAL HEALTH

"SEC. 303. (a) In carrying out the purposes of section 301 with respect to mental health, the Surgeon General is authorized—

"(1) to provide training and instruction and to establish and maintain traineeships, in accordance with the provisions of section 433 (a);

"(2) to make grants to State or local agencies, laboratories, and other public or nonprofit agencies and institutions, and to individuals for investigations, experiments, demonstrations, studies, and research projects with respect to the development of improved methods of diagnosing mental illness, and of care, treatment, and rehabilitation of the mentally ill, including grants to State agencies responsible for administration of State institutions for care, or care and treatment, of mentally ill persons for developing and establishing improved methods of operation and administration of such institutions.

"(b) Grants under paragraph (2) of subsection (a) may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement, as may be determined by the Surgeon General; and shall be made on such conditions as the Surgeon General finds necessary."

TECHNICAL AMENDMENT

69 Stat. 382.

SEC. 502. The heading of section 304 of such Act (42 U. S. C. 242b) is amended to read: "MENTAL HEALTH STUDY GRANTS."

EFFECTIVE DATE

SEC. 503. The amendments made by this title shall become effective July 1, 1956.

Approved August 2, 1956.

Public Law 912

CHAPTER 872

August 2, 1956
[S. J. Res. 71]

JOINT RESOLUTION

To commend the foundation known as the Memorial to the American Indian Foundation for its project to establish a permanent memorial in honor of the North American Indians.

Memorial to the
American Indian
Foundation.

Whereas it is fitting that there should be a permanent memorial in honor of the North American Indians, the original Americans;

Whereas there has been chartered by the State of Michigan a nonprofit corporation known as the Memorial to the American Indian Foundation for the purpose of establishing such a memorial, which will be located in the State of New Mexico; and

Whereas the establishment of such a memorial would acknowledge the contribution made to our Nation by the North American Indians: Therefore be it

Commendation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby commends the Memorial to the American Indian Foundation for its noteworthy project to establish a permanent memorial in honor of the North American Indians, and extends to such Foundation its best wishes in carrying out such project.

Approved August 2, 1956.

Public Law 913

CHAPTER 873

August 2, 1956
[S. 218]

AN ACT

For the relief of the town of Clayton, New Mexico.

Clayton, N. Mex.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Federal Airport Act, costs incurred by the town of Clayton, New Mexico, for construction of an administration building (including that part of such building constituting an auditorium or pilots' clubroom) and a fire reservoir which was designed and constructed to be usable as a swimming pool, pursuant to a grant agreement for airport development entered into on June 29, 1949, between such town and the Administrator of Civil Aeronautics (contract numbered C4ca-5800), shall for the sole purpose of releasing the town of liability based upon those costs, be held and considered allowable project costs within the meaning of such Act, and such town is hereby relieved of all liability to the United States to refund any amounts based upon such costs heretofore received by it under such agreement.

Approved August 2, 1956.