

Public Law 95-83
95th Congress

An Act

To amend the Public Health Service Act to extend through the fiscal year ending September 30, 1978, the assistance programs for health services research; health statistics; comprehensive public health services; hypertension programs; migrant health; community health centers; medical libraries; cancer control programs; the National Cancer Institute; heart, blood vessel, lung, and blood disease prevention and control programs; the National Heart, Lung, and Blood Institute; National Research Service Awards; population research and voluntary family planning programs; sudden infant death syndrome; hemophilia; national health planning and development; and health resources development; to amend the Community Mental Health Centers Act to extend it through the fiscal year ending September 30, 1978; to extend the assistance programs for home health services; and for other purposes.

Aug. 1, 1977

[H.R. 4975]

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

TITLE I—HEALTH PLANNING AND HEALTH SERVICES
RESEARCH AND STATISTICS EXTENSION

SEC. 101. This title may be cited as the “Health Planning and Health Services Research and Statistics Extension Act of 1977”.

SEC. 102. (a) Section 1516(c) (1) of the Public Health Service Act (relating to authorizations for planning grants) is amended by striking out “for the fiscal year ending June 30, 1977” and inserting in lieu thereof “each for the fiscal years ending September 30, 1977, and September 30, 1978”.

(b) Section 1525(c) of such Act (relating to authorizations for State health planning and development agencies) is amended by striking out “for the fiscal year ending June 30, 1977” and inserting in lieu thereof “each for the fiscal years ending September 30, 1977, and September 30, 1978”.

(c) Section 1526(e) of such Act (relating to authorizations for grants for rate regulation) is amended by striking out “for the fiscal year ending June 30, 1977” and inserting in lieu thereof “each for the fiscal years ending September 30, 1977, and September 30, 1978”.

(d) Section 1534(d) of such Act (relating to authorizations for centers for health planning) is amended by striking out “for the fiscal year ending June 30, 1977” and inserting in lieu thereof “each for the fiscal years ending September 30, 1977, and September 30, 1978”.

SEC. 103. (a) Section 1613 of the Public Health Service Act (relating to authorizations for construction) is amended by striking out “for the fiscal year ending June 30, 1977” and inserting in lieu thereof “each for the fiscal years ending September 30, 1977, and September 30, 1978”.

(b) Section 1625(d) of such Act (relating to funds for project grants) is amended by adding at the end the following new sentence: “In addition to the amounts made available for such grants under the preceding sentence for the fiscal year ending September 30, 1978, there are authorized to be appropriated \$67,500,000 for such fiscal year for such grants.”

(c) Section 1640(d) of such Act (relating to authorizations for area health services development) is amended by striking out “for the fiscal year ending June 30, 1977” and inserting in lieu thereof “each for

Health services
programs.
Extension.
Health Planning
and Health
Services
Research and
Statistics
Extension Act of
1977.
42 USC 201 note.
42 USC 300f-5.

42 USC 300m-4.

42 USC 300m-5.

42 USC 300n-3.

42 USC 300p-3.

42 USC 300r.

42 USC 300t.

the fiscal years ending September 30, 1977, and September 30, 1978".

42 USC 242m. Sec. 104. (a) Section 308(i)(1) of the Public Health Service Act (relating to authorizations for the National Center for Health Services Research) is amended (1) by striking out "and" after "1975," and (2) by inserting after "1976" the following: ", and \$28,600,000 for the fiscal year ending September 30, 1978".

(b) Section 308(i)(2) of such Act (relating to authorizations for the National Center for Health Statistics) is amended (1) by striking out "and" after "1975," and (2) by inserting after "1976" the following: ", and \$33,600,000 for the fiscal year ending September 30, 1978".

Payments to States.
42 USC 1396b. Sec. 105. (a) (1) Section 1903(m)(2)(A) of the Social Security Act is amended to read as follows:

"(2) (A) Except as provided in subparagraphs (B) and (C), no payment shall be made under this title to a State with respect to expenditures incurred by it for payment (determined under a prepaid capitation basis or under any other risk basis) for services provided by any entity which is responsible for the provision of inpatient hospital services and any other service described in paragraph (2), (3), (4), (5), or (7) of section 1905(a) or for the provision of any three or more of the services described in such paragraphs unless—

42 USC 1396d. "(i) the Secretary (or the State as authorized by paragraph (3)) has determined that the entity is a health maintenance organization as defined in paragraph (1); and

"(ii) less than one-half of the membership of the entity consists of individuals who (I) are insured for benefits under part B of title XVIII or for benefits under both parts A and B of such title, or (II) are eligible to receive benefits under this title."

(2) Section 1903(m)(2)(C) of such Act is amended by striking out "(A) (iii)" each place it occurs and inserting in lieu thereof "(A) (ii)".

Applicability.
42 USC 1396b note.
42 USC 1396. (3) The amendments made by paragraphs (1) and (2) shall apply with respect to payments under title XIX of the Social Security Act to States for services provided—

(A) after October 8, 1976, under contracts under such title entered into or renegotiated after such date, or

(B) after the expiration of the one-year period beginning on such date,

whichever occurs first.

42 USC 300e-8. (b) Section 1309(a) of the Public Health Service Act is amended by striking out "September 30, 1977" the second time it occurs and inserting in lieu thereof "September 30, 1979".

42 USC 300k-3. Sec. 106. (a) The fourth sentence of section 1503(b)(1) of the Public Health Service Act is amended by inserting "established" before "under section 1524".

42 USC 300l. (b) The first sentence of section 1511(a) of such Act is amended by striking out "There" and inserting in lieu thereof "Except as provided in section 1536, there".

42 USC 300l-1. (c) Section 1512(b)(3)(B)(i) of such Act is amended by striking out "subsections (e), (f), and (g)" and inserting in lieu thereof "subsections (e), (f), (g), and (h)".

(d) Section 1512(c) of such Act is amended by striking out "agencies' health" and inserting in lieu thereof "agency's health".

42 USC 300l-2. (e) The first sentence of section 1513(a) of such Act is amended by striking out "the provision" and inserting in lieu thereof "provision".

(f) The last sentence of section 1513(a) of such Act is amended by striking out "(g)" and inserting in lieu thereof "(h)".

(g) The margin of the last sentence of paragraph (1) of section 1513(b) of such Act is indented to align with the margin of paragraph (2) of such section. 42 USC 300l-2.

(h) Section 1513(b)(2)(C) of such Act is amended by striking out "is consistent" and inserting in lieu thereof "are consistent".

(i) Section 1513(d) of such Act is amended by striking out "system" each place it occurs and inserting in lieu thereof "systems".

(j) Section 1514 of such Act is amended by inserting "public or" before "nonprofit private". 42 USC 300l-3.

(k) Section 1515(d) of such Act is amended by striking out "health services area" and inserting in lieu thereof "health service area". 42 USC 300l-4.

(l) Section 1521(a) of such Act is amended by striking out "other than" and all that follows in such section and inserting in lieu thereof a period. 42 USC 300m.

(m) Section 1521(d) of such Act is amended by striking out "Policy, Planning," and inserting in lieu thereof "Planning".

(n) Section 1523(c) of such Act is amended by striking out "(6), or (7)" and inserting in lieu thereof "or (6)". 42 USC 300m-2.

(o) Section 1526(a) of such Act is amended by inserting "grants" after "may make". 42 USC 300m-5.

(p) Section 1536(a) of such Act is amended by striking out "Trust Territories in the Pacific Islands" and inserting in lieu thereof "Trust Territory of the Pacific Islands, the Northern Mariana Islands". 42 USC 300n-5.

(q) Section 1536(b)(4) of such Act is amended (1) by striking out "office" and inserting in lieu thereof "officer", and (2) by striking out "the regulation" and inserting in lieu thereof "regulations".

(r) Section 1602(5) of such Act is amended by striking out "1503" and inserting in lieu thereof "1603". 42 USC 300o-1.

(s) The second sentence of section 1602 of such Act is amended by striking out "supports" and inserting in lieu thereof "support".

(t) Section 1603(a)(4), 1603(a)(5), 1603(a)(6), 1604(b)(1)(C), 1604(b)(2)(A) and 1604(c)(2)(B)(i) of such Act are each amended by striking out "1602(a)" and inserting in lieu thereof "1602". 42 USC 300o-2, 300o-3.

(u) Section 1603(a)(6) of such Act is amended by striking out "(4)" and inserting in lieu thereof "(5)".

(v) Section 1603(a)(7) of such Act is amended by striking out "standards" and inserting in lieu thereof "requirements".

(w) Section 1610(a) of such Act is amended by striking out "1513" and inserting in lieu thereof "1613". 42 USC 300p.

(x)(1) Subsections (a) and (b)(1) of section 1620 of such Act are each amended by striking out "September 30, 1977" and inserting in lieu thereof "September 30, 1978". 42 USC 300q.

(2) Section 1622(e)(2) of such Act is amended by striking out "and June 30, 1977" and inserting in lieu thereof "September 30, 1977, and September 30, 1978". 42 USC 300q-2.

(y) Section 1622(c) of such Act is amended by adding after paragraph (4) the following new paragraph:

"(5) If any loan to a public entity under this part is sold and guaranteed by the Secretary under this subsection, interest paid on such loan after its sale and any interest subsidy paid, under paragraph (3)(A)(ii), by the Secretary with respect to such loan which is received by the purchaser of the loan (or the purchaser's successor in interest) shall be included in the gross income of the purchaser or successor for the purpose of chapter 1 of the Internal Revenue Code of 1954."

- 42 USC 300s-3. (z) Section 1633(14) of such Act is amended by striking out "title XIV" and inserting in lieu thereof "title XV".
- 42 USC 201. SEC. 107. Section 2(f) of the Public Health Service Act (relating to the definition of the term State) is amended (1) by striking out "and" after "Islands," and (2) by adding before the period the following: ", American Samoa, and the Trust Territory of the Pacific Islands".

Biomedical
Research
Extension Act of
1977.

42 USC 201 note.
42 USC 280b.

TITLE II—BIOMEDICAL RESEARCH EXTENSION

SEC. 201 This title may be cited as the Biomedical Research Extension Act of 1977".

SEC. 202. Section 390(c) of the Public Health Service Act (relating to authorizations for medical libraries) is amended (1) by striking out "and" after "1975," and (2) by inserting after "1976" the following: ", and \$14,600,000 for the fiscal year ending September 30, 1978".

42 USC 286c.

SEC. 203. (a) (1) Section 409 of the Public Health Service Act (relating to authorizations for cancer control programs) is amended (A) by striking out "and" after "1976," and (B) by striking out "June 30, 1977" and inserting in lieu thereof "September 30, 1977, and \$84,560,000 for the fiscal year ending September 30, 1978".

42 USC 286g.

(2) Section 410C of such Act (relating to authorizations for programs of the National Cancer Institute) is amended (A) by striking out "and" after "1976," and (B) by striking out "June 30, 1977" and inserting in lieu thereof "September 30, 1977; and \$923,590,000 for the fiscal year ending September 30, 1978".

42 USC 286b.

(b) (1) The second sentence of section 408(b) of such Act (relating to national cancer research and demonstration centers) is amended by striking out "; but support under this subsection (other than support for construction) shall not exceed \$5,000,000 per year per center." and inserting in lieu thereof a period and the following: "The aggregate of payments (other than payments for construction) made to any center in support of such an agreement for its costs (other than indirect costs) described in the first sentence may not exceed \$5,000,000 in any fiscal year, except that if in any fiscal year there is an increase, as reflected in the Consumer Price Index published by the Bureau of Labor Statistics, in the costs of a center for which payments may be made under such an agreement, the aggregate of payments in such year for such center may exceed \$5,000,000 to include such increase and any such increase in any preceding fiscal year for which payments were made to such center under such an agreement to the extent that such increase resulted in payments in excess of \$5,000,000. As used in this section, the term 'construction' does not include the acquisition of land, and the term 'training' does not include research training for which fellowship support may be provided under section 472."

42 USC 286f.

(2) Section 410B(a)(1) of such Act (relating to the National Cancer Advisory Board) is amended (A) by inserting "Policy" after "Technology", and (B) by striking out "(or his designee)" and inserting in lieu thereof "(or their designees)".

42 USC 286d.

(3) Section 410(a)(1) of such Act (relating to the authority of the Director of the National Cancer Institute) is amended by striking out "one hundred" and inserting in lieu thereof "one hundred and fifty-one".

42 USC 287c.

SEC. 204. (a) (1) Section 414(b) of the Public Health Service Act (relating to authorizations for heart, blood vessel, lung, and blood disease prevention and treatment programs) is amended (A) by strik-

ing out “and” after “1976,” and (B) by striking out “fiscal year 1977” and inserting in lieu thereof “the fiscal year ending September 30, 1977, and \$30,000,000 for the fiscal year ending September 30, 1978”.

(2) Section 419B of such Act (relating to authorizations for the National Heart, Lung, and Blood Institute) is amended (A) by striking out “and” after “1976,” and (B) by striking out “for fiscal year 1977” and inserting in lieu thereof the following: “for the fiscal year ending September 30, 1977, and \$426,320,000 for the fiscal year ending September 30, 1978”.

42 USC 287i.

(b) (1) Section 415(a) (1) of such Act (relating to national research and demonstration centers) is amended—

National research and demonstration centers.

(A) by striking out “diseases and for research in the use of blood and blood products and in the management of blood resources;” in subparagraph (A) and inserting in lieu thereof “and blood vessel diseases,” and

42 USC 287d.

(B) by striking out “, blood vessel diseases, research in the use of blood products, and research” in subparagraph (C) and inserting in lieu thereof “diseases and research into blood, in the use of blood products and”.

(2) The third sentence of section 415(b) of such Act (relating to national research and demonstration centers) is amended by striking out “in any year” and all that follows in such sentence and inserting in lieu thereof the following: “in any fiscal year, except that if in any fiscal year there is an increase, as reflected in the Consumer Price Index published by the Bureau of Labor Statistics, in the costs of a center for which payments may be made under such an agreement, the aggregate of payments in such year for such center may exceed \$5,000,000 to include such increase and any such increase in any preceding fiscal year for which payments were made to such center under such an agreement to the extent that such increase resulted in payments in excess of \$5,000,000.”

(3) Section 417(a) (1) of such Act (relating to the National Heart, Lung, and Blood Advisory Council) is amended by striking out “National Science Foundation” and inserting in lieu thereof “Office of Science and Technology Policy”.

42 USC 287f.

(4) Section 419A(a) of such Act (relating to administration) is amended by striking out “made pursuant to section 414”.

42 USC 287h.

SEC. 205. Section 472(d) of the Public Health Service Act (relating to National Research Service Awards) is amended (1) by striking out “and” after “1976,” and (2) by striking out “for fiscal year 1977” and inserting in lieu thereof the following: “for the fiscal year ending September 30, 1977, and \$161,390,000 for the fiscal year ending September 30, 1978”.

42 USC 289l-1.

TITLE III—HEALTH SERVICES EXTENSION

SEC. 301. This title may be cited as the “Health Services Extension Act of 1977”.

Health Services Extension Act of 1977.
42 USC 201 note.

SEC. 302. (a) Section 314(d) (7) (A) of the Public Health Service Act (relating to authorizations for formula grants to States for comprehensive public health services) is amended (1) by striking out “and” after “1976,” and (2) by striking out “for fiscal year 1977” and inserting in lieu thereof the following: “for the fiscal year ending September 30, 1977, and \$106,750,000 for the fiscal year ending September 30, 1978”.

42 USC 246.

42 USC 246.

(b) Section 314(d) (7) (B) of such Act (relating to authorizations for grants for hypertension programs) is amended (1) by striking out "and" after "1976.", and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$12,680,000 for the fiscal year ending September 30, 1978".

42 USC 247d.

SEC. 303. (a) (1) Section 319(h) (1) of the Public Health Service Act (relating to authorizations for planning and development of migrant health centers) is amended (A) by striking out "and" after "1976.", and (B) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$2,950,000 for the fiscal year ending September 30, 1978".

(2) The second sentence of section 319(h) (1) of such Act is amended by striking out "the next fiscal year" and inserting in lieu thereof "each of the next two fiscal years".

(b) (1) The first sentence of section 319(h) (2) of such Act (relating to authorizations for operation of migrant health centers) is amended (A) by striking out "and" after "1976.", and (B) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$32,080,000 for the fiscal year ending September 30, 1978".

(2) The third sentence of section 319(h) (2) of such Act is amended by striking out "fiscal year 1977" and inserting in lieu thereof "fiscal years ending September 30, 1977, and September 30, 1978".

(c) Section 319(h) (3) of such Act (relating to authorizations for inpatient and outpatient hospital services) is amended (1) by striking out "and" after "1976.", and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$4,230,000 for the fiscal year ending September 30, 1978".

42 USC 254c.

SEC. 304. (a) (1) Section 330(g) (1) of the Public Health Service Act (relating to authorizations for planning and development of community health centers) is amended (A) by striking out "and" after "1976.", and (B) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$5,880,000 for the fiscal year ending September 30, 1978".

(2) Section 330(g) (2) of such Act (relating to authorizations for operation of community health centers) is amended (A) by striking out "and" after "1976.", and (B) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$256,840,000 for the fiscal year ending September 30, 1978".

Medically
underserved
population.

(b) (1) Section 330(b) (3) of such Act (relating to the definition of medically underserved population) is amended by adding at the end thereof the following: "In designating urban and rural areas for purposes of this paragraph, the Secretary shall take into account unusual local conditions which are a barrier to access to or the availability of personal health services."

(2) The first sentence of section 330(e) (1) of such Act is amended by striking out "subsection (e)" and inserting in lieu thereof "subsection (c)".

42 USC 300.

SEC. 305. (a) Section 1001(c) of the Public Health Service Act (relating to authorizations for family planning projects) is amended (1) by striking out "and" after "1976;", and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the

fiscal year ending September 30, 1977; and \$136,400,000 for the fiscal year ending September 30, 1978".

(b) Section 1003(b) of such Act (relating to authorizations for training) is amended (1) by striking out "and" after "1976;," and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977; and \$3,000,000 for the fiscal year ending September 30, 1978".

42 USC 300a-1.

(c) (1) Section 1004(b) (1) of such Act (relating to authorizations for research) is amended (A) by striking out "and" after "1976;," and (B) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$68,500,000 for the fiscal year ending September 30, 1978".

42 USC 300a-2.

(2) Section 1004(b) (2) of such Act (relating to limitation on source of funds) is amended by adding immediately before the period the following: "or for the administration of this section".

(d) Section 1005(b) of such Act (relating to authorizations for informational and educational materials) is amended (1) by striking out "and" after "1976;," and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977; and \$600,000 for the fiscal year ending September 30, 1978".

42 USC 300a-3.

SEC. 306. (a) Section 1121(b) (5) of the Public Health Service Act (relating to authorizations for sudden infant death syndrome programs) is amended (1) by striking out "and" after "1976;," and (2) by striking out "fiscal year ending 1977" and inserting in lieu thereof the following: "ending September 30, 1977, and \$3,650,000 for the fiscal year ending September 30, 1978".

42 USC 300c-11.

(b) Section 1131(f) of such Act (relating to authorizations for hemophilia programs) is amended (1) by striking out "and" after "1976;," and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$4,550,000 for the fiscal year ending September 30, 1978".

42 USC 300c-21.

(c) Section 1132(e) of such Act (relating to authorizations for blood separation centers) is amended (1) by striking out "and" after "1976;," and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$3,450,000 for the fiscal year ending September 30, 1978".

42 USC 300c-22.

SEC. 307. (a) (1) The first sentence of section 708(a) of the Public Health Service Act (relating to health professions data) is amended (A) by inserting "program" after "health professions personnel which", and (B) by striking out "United States and its territories and possessions" and inserting in lieu thereof "States".

Health
professions data.
42 USC 292h.

(2) Section 708(e) (1) (C) of such Act is amended by inserting "use" after "personal data which".

(b) Section 721(f) of such Act (relating to regional health professions programs) is amended by striking out "subsection (a)" in paragraphs (1) and (2) and inserting in lieu thereof "subsection (a) of section 720".

42 USC 293a.

(c) (1) Section 731(a) (2) (B) of such Act (relating to loan repayment period) is amended by striking out "after the date on which the student completes his internship or residency training, and not later than the earlier of 12 months after such date or of 3 years after the date he ceases" and inserting in lieu thereof "nor later than 12 months after the date on which the student ceases to be a participant in an accredited internship or residency program or (if he was not a participant in such a program) ceases".

42 USC 294d.

42 USC 294d.

(2) Section 731(a)(2)(C)(i) of such Act (relating to termination of loans) is amended by inserting "(or at an institution defined by section 435(b) of the Higher Education Act of 1965)" after "eligible institution".

Certificates of insurance.

42 USC 294e.

(3) The first sentence of section 732(a)(2) of such Act (relating to effective date of certificates of insurance) is amended by striking out "was made" and inserting in lieu thereof "is made to a student described in section 731(a)(1)".

(4) Section 732(d) of such Act (relating to certificates of insurance) is amended to read as follows:

"(d) The rights of an eligible lender arising under insurance evidenced by a certificate of insurance issued to it under this section may be assigned by such lender, subject to regulation by the Secretary, only to (1) another eligible lender, or (2) the Student Loan Marketing Association."

Responsibilities.

42 USC 294h.

(5) (A) The first sentence of section 735(c)(2) of such Act (relating to responsibilities) is amended (i) by striking out "specified in the agreement" and inserting in lieu thereof "specified in the contract", and (ii) by striking out all that follows "in an amount" and inserting in lieu thereof "determined in accordance with the formula

$$A=3\phi\left(\frac{t-s}{t}\right)$$

in which 'A' is the amount the United States is entitled to recover; 'φ' is the sum of the amounts paid by the Secretary under the contract to or on behalf of the individual and the interest on such amounts which would be payable if at the time the amounts were paid they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States; 't' is the total number of months in the individual's period of obligated service; and 's' is the number of months of such period served by him in accordance with the contract."

Waivers and suspensions.

(B) Section 735(c)(4) of such Act (relating to waivers and suspensions) is amended (i) by inserting "any obligation of service or" after "suspension of", and (ii) by striking out "the agreement which was breached" and inserting in lieu thereof "the contract".

Eligible institutions.

42 USC 294j.

(6) Section 737(1) of such Act (relating to definition of eligible institution) is amended by striking out "that is receiving, or the Secretary determines is eligible to receive, a grant under section 770 for such fiscal year" and inserting in lieu thereof "that received a grant, or the Secretary determines met the requirements for receipt of a grant, under section 770 for the preceding fiscal year."

Effective date.
42 USC 294d
note.Effective date.
42 USC 294i.

(7) The amendments made by this subsection shall take effect October 1, 1977.

(d) Effective October 1, 1977, section 736 of such Act (relating to participation of Federal credit unions) is amended by striking out "Director of the Bureau of Federal Credit Unions" and inserting in lieu thereof "Administrator of the National Credit Union Administration".

Loan forgiveness.
42 USC 294n.

(e) (1) Section 741(f)(1)(B) of such Act (relating to loan forgiveness) is amended (A) by inserting "(i)" after "who", and (B) by inserting before the semicolon the following: ", or (ii) obtained, under a written loan agreement entered into before October 12, 1976, any other educational loan for his costs at a school of medicine, osteopathy, dentistry, veterinary medicine, optometry, pharmacy, or podiatry".

(2) Section 741(f)(2) of such Act (relating to payments) is

amended by inserting after subparagraph (C) the following: "No payment may be made under this paragraph with respect to a loan described in paragraph (1) (B) (ii) unless the person on whose behalf the payment is to be made has submitted to the Secretary a certified copy of the agreement under which such loan was made. In any year the amount of payments that may be made under this paragraph with respect to such a loan may not exceed \$10,000 and the total amount of payments that may be made under this paragraph with respect to such a loan may not exceed \$50,000."

(3) The amendments made by this subsection shall be effective as of October 12, 1976.

(f) Effective October 1, 1977, sections 748(b) (2) and 749(b) (2) of such Act (relating to traineeships) are each amended by inserting "tuition and fees and" before "such stipends".

(g) The first sentence of section 754(c) of such Act (relating to breach of scholarship contract) is amended by striking out "is the sum of the amount" and all that follows down through "was a loan" and inserting in lieu thereof "is the sum of the amounts paid under this subpart to or on behalf of the individual and the interest on such amounts which would be payable if at the time the amounts were paid they were loans".

(h) Effective October 1, 1977, section 758(a) of such Act (relating to scholarships for first-year students of exceptional financial need) is amended by striking out "in the school year ending in the fiscal year in which such grant is made".

(i) (1) Effective October 1, 1977, the first sentence of section 771(b) (2) (C) of such Act (relating to residencies in primary care) is amended by striking out "training program of such school in primary care" the second time it occurs and inserting in lieu thereof "training program of any school in primary care".

(2) Effective October 1, 1977, section 771(b) (2) (E) of such Act (relating to termination of affiliation with medical residency training programs) is amended by striking out "in the fiscal year".

(3) Effective October 1, 1977, section 771(b) (3) (A) of such Act (relating to eligibility for capitation grants) is amended by striking out "immediately before" and inserting "in".

(4) Effective October 1, 1977, section 771(b) (3) (B) of such Act (relating to the enrollment of students of foreign schools of medicine in schools of medicine in the United States) is amended to read as follows:

"(B) No later than August 15, 1977, and August 15 of each of the next two years, the Secretary shall identify the citizens of the United States who—

"(i) were—

"(I) before October 12, 1976, students in a school of medicine not in a State, or

"(II) enrolled in programs of institutions of higher education (other than schools of osteopathy or schools of medicine of more than two years) which programs were in existence in the States before such date and which prepare students to enter the third year of schools of medicine in the States; and

"(ii) by the date of the identification made under this subparagraph—

"(I) in the case of a student described in clause (i) (I), successfully completed at least two years in a school of medi-

Certified copy of agreement, submittal to HEW.

Effective date.
42 USC 294n note.

Effective dates.
42 USC 294r, 294s.

Scholarships.
42 USC 294w.

42 USC 294z.

42 USC 295f-1.

Certain U.S. medical students.

cine not in a State, and, in the case of a student described in clause (i) (II), successfully completed a program described in such clause, and

“(II) successfully completed part I of the National Board of Medical Examiners’ examination (or any successor to such examination).”

Apportionment. The Secretary shall equitably apportion a number of positions among the schools of medicine in the States adequate to fill the needs of students identified in accordance with the preceding sentence.”

Effective date. (j) Effective October 1, 1977, section 781(d) (2) (C) of such Act (relating to residency program requirement) is amended by striking out “or general internal medicine” and inserting in lieu thereof “, general internal medicine, or general pediatrics”.

42 USC 295g-9. (k) Paragraph (1) of section 789(a) of such Act (relating to training in emergency medical services) is amended by striking out “and to assist in meeting the cost” and all that follows in such paragraph and inserting in lieu thereof the following: “, to assist in meeting the cost of training (including the cost of establishing programs for the training) of physicians in emergency medicine, especially training which affords clinical experience in providing medical services in emergency medical services systems receiving assistance under title XII of this Act, and to provide financial assistance (in the form of traineeships and fellowships) to residents who plan to specialize or work in the practice of emergency medicine.”

42 USC 300d. (l) Effective October 1, 1977, section 796(a) (4) of such Act (relating to project grants and contracts) is amended by striking out “of methods” and inserting in lieu thereof “or improvement of programs”.

Effective date. (m) Effective October 1, 1977, section 796(c) of such Act (relating to eligibility for allied health special project grants and contracts) is amended (1) by striking out “or” at the end of paragraph (2), (2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof “; or”, and (3) by adding after paragraph (3) the following new paragraph:

“(4) other public or nonprofit private entities capable, as determined by the Secretary, of carrying out projects described in subsection (a).”

Effective date. (n) (1) Effective October 1, 1977, subpart IV of part C of title VII of such Act (relating to National Health Service Corps Scholarships) is amended by adding at the end thereof the following new section:

“INDIAN HEALTH SCHOLARSHIP PROGRAM

42 USC 294y-1. “SEC. 757. (a) In addition to the sums authorized to be appropriated under section 756(a) to carry out the Scholarship Program, there are authorized to be appropriated \$5,450,000 for the fiscal year ending September 30, 1978, \$6,300,000 for the fiscal year ending September 30, 1979, \$7,200,000 for the fiscal year ending September 30, 1980, and for each of the succeeding four fiscal years such sums as may be specifically authorized by an Act enacted after the date of enactment of this section, to provide scholarships under the Scholarship Program to provide physicians, osteopaths, dentists, veterinarians, nurses, optometrists, podiatrists, pharmacists, public health personnel, and allied health professionals to provide services to Indians. Such scholarships shall be designated ‘Indian Health Scholarships’ and shall be made in accordance with this subpart, except as provided in subsection (b).

"(b) (1) The Secretary, acting through the Indian Health Service, shall determine the individuals who shall receive the Indian Health Scholarships, shall accord priority to applicants who are Indians, and shall determine the distribution of the scholarships on the basis of the relative needs of Indians for additional services by specific health professions.

"(2) The active duty service obligation prescribed in the written contract entered into under this subpart shall be met by the recipient of an Indian Health Scholarship by service in the Indian Health Service, in a program assisted under title V of the Indian Health Care Improvement Act, or in the private practice of his profession if, as determined by the Secretary in accordance with guidelines promulgated by him, such practice is situated in a physician or other health professional shortage area and addresses the health care needs of a substantial number of Indians.

"(c) For purposes of this section, the term 'Indians' has the same meaning given that term by subsection (c) of section 4 of the Indian Health Care Improvement Act and includes individuals described in clauses (1) through (4) of that subsection."

(2) Section 105(a) of the Indian Health Care Improvement Act is amended by striking out "pursuant to section 104" and inserting in lieu thereof "pursuant to section 757 of the Public Health Service Act".

(o) (1) The second sentence of section 810(a) of the Public Health Service Act (relating to computation of capitation grants for nursing schools) is amended by inserting "for each fiscal year" after "shall be computed".

(2) Paragraphs (1), (2), and (3) of such section 810(a) are each amended by striking out "such year" each place it occurs and inserting in lieu thereof "such fiscal year".

(3) (A) Section 810(c) (1) (A) of such Act (relating to requirements for nursing school capitation grants) is amended by striking out "beginning after" and inserting in lieu thereof "beginning in".

(B) Sections 810(c) (2) (A) and 810(c) (2) (B) of such Act (relating to requirements for nursing school capitation grants) are each amended by striking out "beginning after the close of" and inserting in lieu thereof "beginning in".

(4) Section 810(c) (1) (B) of such Act is amended by striking out "fiscal" each place it occurs and inserting in lieu thereof "school".

(5) (A) Section 822 of such Act (relating to nurse practitioner programs) is amended by—

(i) inserting after "contracts for programs" in the last sentence of subsection (a) (1) the following: "for the training of nurse practitioners who will practice in health manpower shortage areas (designated under section 332) and";

(ii) redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively, and inserting after subsection (a) the following:

"(b) (1) The Secretary may make grants to and enter into contracts with schools of nursing, medicine, and public health, public or non-profit private hospitals, and other nonprofit entities to establish and operate traineeship programs to train nurse practitioners who are residents of a health manpower shortage area (designated under section 332).

"(2) Traineeships funded under this subsection shall include 100 percent of the costs of tuition, reasonable living and moving expenses (including stipends), books, fees, and necessary transportation.

25 USC 1651.

"Indians."

25 USC 1603.

25 USC 1614.

Ante, p. 392.

Nursing schools.

42 USC 296e.

42 USC 296m.

42 USC 256.

Grants and contracts.

Commitment.

"(3) A traineeship funded under this subsection shall not be awarded unless the recipient enters into a commitment with the Secretary to practice as a nurse practitioner in a health manpower shortage area (designated under section 332)."

42 USC 256.

42 USC 297.

(B) Section 830 of such Act (relating to traineeships) is amended—

(1) by striking out in subsection (a) (2) "(A) for the training of nurse practitioners who will practice in health manpower shortage areas (designated under section 332), and (B) for traineeship programs";

(2) by striking out subsection (b), and

(3) by redesignating subsection (c) as subsection (b).

Effective date.

42 USC 296m

note.

42 USC 294t

note.

(C) The amendments made by this paragraph shall be effective as of October 12, 1976.

(p) (1) Section 408(b)(2) of the Health Professions Education Assistance Act of 1976 (Public Law 94-484) (relating to effective date of revision of National Health Service Corps Scholarship Program) is amended—

(A) by striking out "Except as provided in subparagraph (B)" in subparagraph (A) and inserting in lieu thereof "Except as provided in subparagraphs (B) and (C)";

(B) in subparagraph (B) by striking out "for any school year" and all that follows in such subparagraph and inserting in lieu thereof "from appropriations for such Program for any fiscal year ending before October 1, 1977."; and

(C) by amending subparagraph (C) to read as follows:

"(C) If an individual received a scholarship under the Public Health and National Health Service Corps Scholarship Program for any school year beginning before the date of the enactment of this Act, periods of internship or residency served by such individual in a facility of the National Health Service Corps or other facility of the Public Health Service shall be creditable in satisfying such individual's service obligation incurred under that Program for such scholarship or for any scholarship received under the National Health Service Corps Scholarship Program for any subsequent school year. If an individual received a scholarship under the Public Health and National Health Service Corps Program for the first time from appropriations for such Program for the fiscal year ending September 30, 1977, periods of internship or residency served by such individual in such a facility shall be creditable in satisfying such individual's service obligation incurred under that Program for such scholarship."

Effective date.

(2) The amendments made by this subsection shall be effective as of October 12, 1976.

Aliens.

(q) (1) Section 212(a)(32) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) is amended (A) by inserting after "graduates of a medical school" in the first sentence thereof "not accredited by a body or bodies approved for the purpose by the Commissioner of Education (regardless of whether such school of medicine is in the United States)", and (B) by amending the second sentence to read as follows: "The exclusion of aliens under this paragraph shall apply to preference immigrant aliens described in section 203(a)(3) and (6) and to nonpreference immigrant aliens described in section 203(a)(8)."

8 USC 1153.

(2) (A) Section 212(j)(1)(B) of such Act is amended by inserting after "that the alien" the following: "(i) is a graduate of a school of medicine which is accredited by a body or bodies approved for the

purpose by the Commissioner of Education (regardless of whether such school of medicine is in the United States); or (ii)".

(B) Section 212(j)(1)(C) of such Act is amended by striking out "that upon such completion and return" and all that follows through "in that country" and inserting in lieu thereof "that there is a need in that country for persons with the skills the alien will acquire in such education or training". 8 USC 1182.

(C) Section 212(j)(1)(D) of such Act is amended (i) by striking out "at the request" and inserting in lieu thereof "at the written request", and (ii) by striking out clause (i) and redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(D) Section 212(j)(2)(A) of such Act is amended by striking out "(A) through (D)" and inserting in lieu thereof "(A) and (B)".

(3) Title VI of the Health Professions Educational Assistance Act of 1976 is amended by adding at the end thereof the following new section:

"TECHNICAL AND CONFORMING AMENDMENTS

"SEC. 602. (a) For purposes of section 212(a)(32) and section 212 (j)(1) of the Immigration and Nationality Act (8 U.S.C. 1182), an alien who is a graduate of a medical school shall be considered to have passed parts I and II of the National Board of Medical Examiners Examination if the alien— Aliens.
8 USC 1182 note.

"(1) was on January 9, 1977, a doctor of medicine fully and permanently licensed to practice medicine in a State,

"(2) held on that date a valid specialty certificate issued by a constituent board of the American Board of Medical Specialties, and

"(3) was on that date practicing medicine in a State.

"(b) For purposes of this section, the term 'State' means a State as defined in section 101(a)(36) of the Immigration and Nationality Act (8 U.S.C. 1101). "State."

"(c) Section 101(a)(41) of the Immigration and Nationality Act is amended (1) by inserting 'a' after 'graduates of' and (2) by inserting 'other than such aliens who are of national or international renown in the field of medicine' after 'in a foreign state'. 8 USC 1101.

"(d) This section and the amendment made by subsection (c) are effective January 10, 1977, and the amendments made by subsections (b)(4) and (d) of section 601 shall apply only on and after January 10, 1978, notwithstanding subsection (f) of such section." Effective dates.
8 USC 1101 note.

(r) Section 707 of the Public Health Service Act (relating to delegation) is amended (1) by striking out the comma following "review" in paragraph (1), (2) by striking out "the merit of," in paragraph (1), (3) by inserting "(including any application for a continuation of such a grant or contract or for modification of such a contract)" after "program" in paragraph (1), and (4) by striking out "or enter into such a contract" in paragraph (2) and inserting in lieu thereof a comma and the following: "enter into such a contract, continue such a grant or contract, or modify such a contract". 42 USC 292g.

SEC. 308. (a) Section 202(d) of the Community Mental Health Centers Act (relating to authorizations for planning of community mental health center programs) is amended (1) by striking out "and" after "1976," and (2) by striking out "for the fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending Community mental health centers programs, extension.
42 USC 2689a.

September 30, 1977, and \$1,930,000 for the fiscal year ending on September 30, 1978".

42 USC 2689b.

(b) (1) Section 203(d) (1) of such Act (relating to authorizations for initial operation) is amended (A) by striking out "and" after "1976.", and (B) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$38,890,000 for the fiscal year ending September 30, 1978".

(2) Section 203(d) (2) of such Act (relating to continuation grants) is amended (A) by striking out "1977" and inserting in lieu thereof "1978", and (B) by striking out "or the next fiscal year" and inserting in lieu thereof "or the next two fiscal years".

42 USC 2689c.

(c) Section 204(c) of such Act (relating to authorizations for consultation and education services) is amended (1) by striking out "and" after "1976.", and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$15,000,000 for the fiscal year ending September 30, 1978".

42 USC 2689d.

(d) Section 205(c) of such Act (relating to authorizations for conversion grants) is amended (1) by striking out "and" after "1976.", and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$23,000,000 for the fiscal year ending September 30, 1978".

42 USC 2689h.

(e) Section 213 of such Act (relating to authorizations for financial distress grants) is amended (1) by striking out "and" after "1976.", and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$13,500,000 for the fiscal year ending September 30, 1978".

42 USC 2689p.

(f) Section 228 of such Act (relating to authorizations for facilities assistance) is amended (1) by striking out "and" after "1976.", and (2) by inserting after "1977," the following: "and \$2,500,000 for the fiscal year ending September 30, 1978".

42 USC 2689q.

(g) Section 231(d) of such Act (relating to authorizations for rape prevention and control) is amended (1) by striking out "and" after "1976.", and (2) by striking out "for fiscal year 1977" and inserting in lieu thereof the following: "for the fiscal year ending September 30, 1977, and \$7,880,000 for the fiscal year ending September 30, 1978".

42 USC 2689b.

(h) Section 203(e) (1) (A) (i) of such Act (relating to conversion grants) is amended by striking out "two grants" and inserting in lieu thereof "three grants".

42 USC 2689e.

(i) The last sentence of section 206(d) of such Act (relating to general provisions) is amended by striking out "ninetieth" and inserting in lieu thereof "one hundred and twentieth".

42 USC 701.

SEC. 309. (a) Section 501 of the Social Security Act (relating to authorizations for maternal and child health and crippled children's services) is amended (1) by striking out "and" after "1972.", and (2) by striking out "and each fiscal year thereafter" and inserting in lieu thereof the following: "and for each of the next four fiscal years, and \$399,864,200 for the fiscal year ending September 30, 1978, and for each fiscal year thereafter".

42 USC 1396b
note.

(b) Section 249B of the Social Security Amendments of 1972 (relating to compensation under medicaid for nursing home inspectors) is amended by striking out "June 30, 1977" and inserting in lieu thereof "September 30, 1980".

SEC. 310. (a) Section 602(a)(5) of Public Law 94-63 (relating to authorizations for home health services) is amended by inserting after "1977" the following: ", and \$8,000,000 for the fiscal year ending September 30, 1978."

Home health services.
42 USC 1395x note.

(b) Section 602(b)(4) of such Public Law (relating to authorizations for home health services training) is amended (1) by striking out "and" after "1976," and (2) by inserting after "1977" the following: ", and \$4,000,000 for the fiscal year ending September 30, 1978."

SEC. 311. (a)(1) Section 303(a) of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (relating to State plans) is amended by adding after and below paragraph (16) the following:

State plans.
42 USC 4573.

"Each State plan shall pertain to the twelve-month period of the State fiscal year which commences in the calendar year in which the plan is submitted and shall be submitted not later than July 31 of each calendar year."

(2) Section 303(b) of such Act is amended by adding at the end the following: "A State plan submitted under subsection (a) may also contain provisions relating to drug abuse or mental health. The Secretary, acting through the National Institute on Alcohol Abuse and Alcoholism, shall establish procedures by which the Institute shall review each State plan submitted under subsection (a) and under which it shall complete its review of each such plan not later than September 15 of the calendar year in which the plan is submitted or not later than sixty days after the plan is received by the Institute, whichever is later."

Review procedures, establishment.

(3) The second sentence of section 409(e) of the Drug Abuse Office and Treatment Act of 1972 (relating to State plans) is amended by striking out "commencing October 1 of the calendar year" and inserting in lieu thereof "of the State fiscal year which commences in the calendar year".

21 USC 1176.

(b)(1) The first sentence of section 302(a) of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (relating to allotments) is amended by striking out "shall be less than \$200,000," and inserting in lieu thereof the following: "shall, except as provided in paragraph (2), be less than the greater of (A) \$200,000, or (B) the amount of such State's allotment for the fiscal year ending June 30, 1976, unless the amount appropriated under section 301 for allotments for the fiscal year ending June 30, 1976, was greater than the amount appropriated for the fiscal year for which the minimum allotment determination is being made, in which case the minimum allotment prescribed by this clause shall be an amount which bears the same ratio to the amount allotted for the fiscal year ending June 30, 1976, as the amount appropriated for the fiscal year for which the minimum allotment determination is being made bears to the amount appropriated for the fiscal year ending June 30, 1976."

42 USC 4572.

(2) Section 302(a) of such Act is further amended by inserting "(1)" after "(a)" and by adding at the end the following:

"(2) If the amount appropriated under section 301 for any fiscal year is less than the amount required to make for such fiscal year the minimum allotment prescribed by paragraph (1) to each State with an approved State plan, the minimum allotment for such fiscal year for a State with an approved State plan shall be an amount which bears the same ratio to the minimum allotment prescribed by paragraph

(1) for such State as the amount appropriated under section 301 for such fiscal year bears to the amount of appropriations required to make the minimum allotment, as so prescribed, to each State with an approved State plan.”

42 USC 4577.

(c) Section 311(c)(2)(B)(i) of such Act (relating to review of applications) is amended by striking out “his” and inserting in lieu thereof “its”.

21 USC 1112.

(d) The second sentence of section 202 of the Drug Abuse Office and Treatment Act of 1972 (relating to the Director of the Office of Drug Abuse Policy) is amended by striking out “any other department or agency of the United States” and inserting in lieu thereof “any department or agency of the United States engaged in any drug traffic prevention function (as defined in section 103)”.

42 USC 210.

SEC. 312. Section 208(g) of the Public Health Service Act is amended by (1) striking out “fifty” and inserting in lieu thereof “fifty-five”, and (2) inserting after “National Institutes of Health” the following: “and not less than five shall be for the National Institute on Alcohol Abuse and Alcoholism for individuals engaged in research on alcohol abuse and alcoholism”.

42 USC 289k-2
note.

SEC. 313. Section 603(b) of Public Law 94-63 is amended by striking out “Not later than 2 years from the date of enactment of this Act” and inserting in lieu thereof “Not later than August 30, 1977.”

Preventive health
services, model
standards,
establishment
and report to
Congress.
42 USC 242b
note.

SEC. 314. The Secretary of Health, Education, and Welfare, in cooperation with appropriate professional entities and individuals, shall within two years of the date of the enactment of this section (1) establish model standards with respect to preventive health services in communities, and (2) report such standards to the Congress. Such standards shall be developed to identify populations in need of preventive or protective health services and to maintain community oriented preventive health programs.

International
health activities,
study.
42 USC 242l
note.

SEC. 315. (a) (1) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as “Secretary”) shall arrange for the conduct of a study or studies to determine opportunities, if any, for broadened Federal program activities in areas of international health. Such study or studies shall consider biomedical and behavioral research, health services research, health professions education, immunization and public health activities, and other areas that might improve our and other nations’ capacities to prevent, diagnose, control, or cure disease, and to organize and deliver effective and efficient health services.

Reports,
submittal to
Secretary and
congressional
committees.

(2) An interim report on such study or studies shall be completed no later than October 1, 1977. A final report thereon shall be completed no later than January 1, 1978. Both reports shall be submitted to the Secretary, the Committee on Human Resources of the Senate, and the Committee on Interstate and Foreign Commerce of the House of Representatives.

Arrangement
with National
Academy of
Sciences.

(b) (1) The Secretary shall request the National Academy of Sciences (hereinafter in this section referred to as “Academy”) to conduct such study or studies under an arrangement whereby the actual expenses incurred by the Academy directly related to the conduct of such study or studies will be paid by the Secretary. If the Academy is willing to do so, the Secretary shall enter into such an arrangement with the Academy.

(2) If the Academy is unwilling to conduct one or more of such studies under such an arrangement, then the Secretary shall enter into a similar arrangement with other appropriate nonprofit private groups or associations to conduct such study or studies and prepare and submit the reports thereon as provided in subsection (a) (2).

Approved August 1, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-117, No. 95-116 accompanying H.R. 4974, and No. 95-118 accompanying H.R. 4976 (all from Comm. on Interstate and Foreign Commerce) and No. 95-500 (Comm. of Conference).

SENATE REPORTS: No. 95-102 (Comm. on Human Resources) and No. 95-349 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 123 (1977):

Mar. 31, considered and passed House; H.R. 4974 and H.R. 4976 considered and passed House.

May 4, considered and passed Senate, amended.

May 11, House agreed to Senate amendment with an amendment.

July 15, Senate agreed to conference report.

July 20, House agreed to conference report.