

105TH CONGRESS
1ST SESSION

S. 944

To require the Secretary of Housing and Urban Development to establish procedures for requesting waivers on behalf of qualified international medical graduates of the 2-year foreign residency requirement.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 1997

Mr. D'AMATO introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Secretary of Housing and Urban Development to establish procedures for requesting waivers on behalf of qualified international medical graduates of the 2-year foreign residency requirement.

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.**

4 This Act may be cited as the “Community Health
5 Care Access Act of 1997”.

6 **SEC. 2. PROCEDURES.**

7 (a) **ESTABLISHMENT.**—Pursuant to section 212(e)
8 and section 214(l) of the Immigration and Nationality Act

1 (8 U.S.C. 1182(e) and 8 U.S.C. 1184(l)), the Secretary
2 shall establish procedures under which an individual may
3 apply to the Secretary to request the Director of the Unit-
4 ed States Information Agency to recommend a waiver of
5 the foreign residence requirement under section 212(e) of
6 the Immigration and Nationality Act (8 U.S.C. 1182(e))
7 for that individual.

8 (b) REQUIREMENTS.—The procedures under sub-
9 section (a) shall require the Secretary to issue a request
10 on behalf of an applicant whenever the applicant—

11 (1) meets the requirements under section 214(l)
12 (8 U.S.C. 1184(l)) of the Immigration and National-
13 ity Act; and

14 (2) meets such other terms and conditions es-
15 tablished by the Secretary, which may include a re-
16 quirement for the applicant to include as part of the
17 waiver application a written agreement on the part
18 of the health facility or health care organization
19 named in the application to provide the Secretary
20 with—

21 (A) periodic notification of the applicant's
22 continued employment; and

23 (B) immediate notification of a failure on
24 the part of the applicant to comply with the

1 terms of the contract between the applicant and
2 the health facility or health care organization.

3 **SEC. 3. HHS REPORTING REQUIREMENT.**

4 At least biannually, the Secretary shall submit a re-
5 port to the Secretary of Health and Human Services set-
6 ting forth the number of requests issued under section 2
7 and identifying the geographic areas in which aliens serve
8 under those requests.

9 **SEC. 4. IMPLEMENTATION.**

10 Not later than 90 days after the date of enactment
11 of this Act, the Secretary shall issue final regulations to
12 implement the provisions of the Act. Such regulations
13 shall be issued only after notice and opportunity for public
14 comment pursuant to the provisions of section 553 of title
15 5, United States Code, regarding notice or opportunity for
16 comment.

17 **SEC. 5. DEFINITIONS.**

18 In this Act:

19 (1) **APPLICANT.**—The term “applicant” means
20 an alien as described in clause (iii) of section 212(e)
21 of the Immigration and Nationality Act (8 U.S.C.
22 1182(e)).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Department of Housing and
3 Urban Development.

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