

107TH CONGRESS  
1ST SESSION

# H. R. 1948

To amend the Public Health Service Act with respect to the shortage of  
medical laboratory personnel.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2001

Mr. SHIMKUS (for himself, Mr. JACKSON of Illinois, Mr. BILIRAKIS, and Mr.  
BROWN of Ohio) introduced the following bill; which was referred to the  
Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act with respect to  
the shortage of medical laboratory personnel.

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 “Medical Laboratory  
5       Personnel Shortage Act of 2001”.

1 **SEC. 2. RESPONSE TO SHORTAGE OF MEDICAL LABORA-**  
2 **TORY PERSONNEL; PROGRAMS OF HEALTH**  
3 **RESOURCES AND SERVICES ADMINISTRA-**  
4 **TION.**

5 (a) NATIONAL HEALTH SERVICE CORPS SCHOLAR-  
6 SHIP AND LOAN REPAYMENT PROGRAMS.—

7 (1) SCHOLARSHIP PROGRAM.—Section  
8 338A(a)(1) of the Public Health Service Act (42  
9 U.S.C. 254l(a)(1)) is amended—

10 (A) by striking “and” after “practi-  
11 tioners,”; and

12 (B) by inserting before the semicolon the  
13 following: “, and (within the meaning of section  
14 799B(12)) medical technologists and medical  
15 laboratory technicians”.

16 (2) LOAN REPAYMENT PROGRAM.—Section  
17 338B(a)(1) of the Public Health Service Act (42  
18 U.S.C. 254l-1(a)(1)) is amended—

19 (A) by striking “and” after “practi-  
20 tioners,”; and

21 (B) by inserting before the semicolon the  
22 following: “, and (within the meaning of section  
23 799B(12)) medical technologists and medical  
24 laboratory technicians”.

25 (b) PROGRAMS UNDER TITLE VII.—

1           (1) ALLIED HEALTH AND OTHER DIS-  
2       CIPLINES.—

3           (A) PREFERENCE IN MAKING AWARDS.—

4           Section 755 of the Public Health Service Act  
5           (42 U.S.C. 294e)) is amended by adding at the  
6           end the following subsection:

7           “(c) PREFERENCE IN MAKING AWARDS.—In making  
8       awards of grants and contracts under subsection (a), the  
9       Secretary shall give preference to making awards to assist  
10      entities in meeting the costs associated with expanding or  
11      establishing programs that will increase the number of in-  
12      dividuals trained as medical laboratory personnel.”.

13           (B) AUTHORIZATION OF APPROPRIA-  
14      TIONS.—Section 757 of the Public Health Serv-  
15      ice Act (42 U.S.C. 294g(a)) is amended by add-  
16      ing at the end the following subsection:

17           “(d) ALLIED HEALTH AND OTHER DISCIPLINES.—  
18      For the purpose of carrying out section 755, there are au-  
19      thorized to be appropriated \$100,000,000 for fiscal year  
20      2002, and such sums as may be necessary for each of the  
21      fiscal years 2003 through 2006. Such authorization is in  
22      addition to the authorizations of appropriations under  
23      subsection (a) that are available for such purpose.”.

1           (2) OTHER TITLE VII PROGRAMS.—Section 740  
2       of the Public Health Service Act (42 U.S.C. 293d)  
3       is amended—

4                   (A) by redesignating subsection (d) as sub-  
5       section (e); and

6                   (B) by inserting after subsection (c) the  
7       following subsection:

8       “(d) MEDICAL LABORATORY PERSONNEL.—For the  
9       purpose of increasing the number of individuals trained  
10      as medical laboratory personnel through making awards  
11      of grants or contracts under sections 737 through 739 for  
12      appropriate schools of allied health, there are authorized  
13      to be appropriated, in addition to authorizations of appro-  
14      priations under subsections (a) through (c) that are avail-  
15      able for such purpose, the following:

16           “(1) For awards under section 737 to such  
17      schools, \$11,193,000 for fiscal year 2002, and such  
18      sums as may be necessary for each of the fiscal  
19      years 2003 through 2006.

20           “(2) For awards under section 738 to serve as  
21      members of the faculty of such schools, \$332,500 for  
22      fiscal year 2002, and such sums as may be nec-  
23      essary for each of the fiscal years 2003 through  
24      2006.

1 “(3) For awards under section 739 to such  
 2 schools, \$8,200,000 for fiscal year 2002, and such  
 3 sums as may be necessary for each of the fiscal  
 4 years 2003 through 2006.”.

5 (3) DEFINITION OF MEDICAL LABORATORY  
 6 PERSONNEL.—Section 799B of the Public Health  
 7 Service Act (42 U.S.C. 295p) is amended by adding  
 8 at the end the following:

9 “(12) The term ‘medical laboratory personnel’  
 10 means allied health professionals (as defined in  
 11 paragraph (5)) who are medical technologists,  
 12 cytotechnologists, histotechnologists, phlebotomists,  
 13 or medical laboratory technicians, or who are in  
 14 other fields that, within the meaning of section  
 15 353(a) (relating to the certification of clinical lab-  
 16 oratories), examine materials derived from the  
 17 human body for the purpose of providing informa-  
 18 tion for the diagnosis, prevention, or treatment of  
 19 any disease or impairment of, or the assessment of  
 20 the health of, human beings.”.

21 **SEC. 3. RESPONSE TO SHORTAGE OF MEDICAL LABORA-**  
 22 **TORY PERSONNEL; PROGRAMS OF CENTERS**  
 23 **FOR DISEASE CONTROL AND PREVENTION.**

24 (a) PREVENTIVE HEALTH MEASURES WITH RE-  
 25 SPECT TO BREAST AND CERVICAL CANCER.—Title XV of

1 the Public Health Service Act (42 U.S.C. 300k et seq.)  
2 is amended by inserting after section 1509 the following  
3 section:

4 **“SEC. 1509A. SHORTAGE OF TECHNOLOGISTS FOR LABORA-**  
5 **TORY ANALYSIS REGARDING SCREENING FOR**  
6 **CERVICAL CANCER.**

7 “(a) IN GENERAL.—The Secretary, acting through  
8 the Administrator of the Health Resources and Services  
9 Administration and in collaboration with the Director of  
10 the Centers for Disease Control and Prevention, shall  
11 make grants to appropriate public and nonprofit private  
12 entities to provide training to increase the number of  
13 cytotechnologists who are available with respect to screen-  
14 ing women for cervical cancer.

15 “(b) FUNDING.—

16 “(1) IN GENERAL.—Subject to paragraph (2),  
17 for the purpose of carrying out this section, there  
18 are authorized to be appropriated \$10,000,000 for  
19 fiscal year 2002, and such sums as may be nec-  
20 essary for each of the fiscal years 2003 through  
21 2006.

22 “(2) LIMITATION.—The authorization of appro-  
23 priations established in paragraph (1) is not effec-  
24 tive for a fiscal year unless the amount appropriated

under section 1510(a) for the fiscal year is equal to or greater than \$173,928,000.”.

(b) PUBLIC HEALTH EMERGENCIES.—

(1) COMBATING ANTIMICROBIAL RESISTANCE.—

Section 319E of the Public Health Service Act (42 U.S.C. 247d–5), as added by section 102 of Public Law 106–505 (114 Stat. 2315), is amended—

(A) in subsection (c)(3), by inserting before the period the following: “, and support programs that train medical laboratory personnel (as defined in section 799B) in disciplines that recognize or identify the resistance of pathogens”; and

(B) in subsection (e)(2), by inserting after “societies,” the following: “schools or programs that train medical laboratory personnel (as defined in section 799B),”.

(2) PUBLIC HEALTH COUNTERMEASURES TO BIOTERRORIST ATTACK.—Section 319F of the Public Health Service Act (42 U.S.C. 247d–6), as added by section 102 of Public Law 106–505 (114 Stat. 2315), is amended—

(A) in subsection (c)(2)—

(i) by striking “or” after “clinic,”;  
and

1 (ii) by inserting before the period the  
 2 following: “, or a school or program that  
 3 trains medical laboratory personnel (as de-  
 4 fined in section 799B)”; and

5 (B) in subsection (e)(2), by inserting be-  
 6 fore the period the following: “, and support  
 7 programs that train medical laboratory per-  
 8 sonnel (as defined in section 799B) in dis-  
 9 ciplines that recognize or identify a potential bi-  
 10 ological agent”.

11 **SEC. 4. RESPONSE TO SHORTAGE OF MEDICAL LABORA-**  
 12 **TORY PERSONNEL; PROGRAMS OF NATIONAL**  
 13 **HEART, LUNG, AND BLOOD INSTITUTE.**

14 Section 422(c)(3)(C) of the Public Health Service Act  
 15 (42 U.S.C. 285b–4(c)(3)(C)) is amended by inserting  
 16 after “allied health professionals” the following: “, with  
 17 emphasis given in the training of such professionals to the  
 18 training of medical laboratory personnel (as defined in sec-  
 19 tion 799B) in medical laboratory disciplines with respect  
 20 to which there are needs for increased numbers of per-  
 21 sonnel”.

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