

107TH CONGRESS
2D SESSION

H. R. 5606

To amend the Public Health Service Act to promote careers in nursing and diversity in the nursing workforce.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Mr. BACA (for himself, Ms. WATERS, Mr. TOWNS, and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to promote careers in nursing and diversity in the nursing workforce.

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 “Recruitment and Di-
5 versity in Nursing Act of 2002”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) The United States is experiencing a nursing
9 shortage due to declining enrollment rates in edu-
10 cation and nursing programs. The Federal Govern-

1 ment has a substantial interest in addressing the
2 nursing shortage, because the shortage affects the
3 overall health and safety of patients receiving health
4 care.

5 (2) The average age of nurses in the United
6 States is 43.3. Unless the Congress takes affirmative
7 measures, the shortage will only continue to worsen
8 as nurses retire and leave the profession.

9 (3) Increasing access to nursing education for
10 nontraditional students will result in more people en-
11 tering the profession and thus combat the current
12 nursing shortage and help to reduce the average age
13 of nurses.

14 (4) Increasing the awareness of elementary and
15 secondary school students about careers in nursing,
16 through the use of nonprofit organizations, will as-
17 sist in recruitment of nontraditional nursing stu-
18 dents and thus combat the current nursing shortage
19 and help to reduce the average age of nurses.

20 **SEC. 3. SCHOLARSHIP PROGRAM FOR NONTRADITIONAL**
21 **NURSING STUDENTS.**

22 (a) ESTABLISHMENT.—Section 846 of the Public
23 Health Service Act (42 U.S.C. 297n) is amended—

1 (1) by redesignating subsections (e), (f), (g),
2 (h), and (i) as subsections (f), (g), (h), (i), and (j),
3 respectively; and

4 (2) by inserting after subsection (d) the fol-
5 lowing:

6 “(e) SCHOLARSHIP PROGRAM.—

7 “(1) IN GENERAL.—The Secretary shall (for
8 fiscal years 2003 and 2004) and may (for fiscal
9 years thereafter) carry out a program of entering
10 into contracts with nontraditional nursing students
11 under which such students agree to serve as nurses
12 for a period of not less than 2 years at a health care
13 facility with a critical shortage of nurses, in consid-
14 eration of the Federal Government agreeing to pro-
15 vide to the students scholarships for attendance at
16 accredited schools of nursing.

17 “(2) NONTRADITIONAL NURSING STUDENT.—In
18 this subsection, the term ‘nontraditional nursing stu-
19 dent’ means an individual who—

20 “(A) belongs to a group that is underrep-
21 resented among registered nurses, including so-
22 cially disadvantaged individuals and males; and

23 “(B) is enrolled or accepted for enrollment
24 as a full-time or part-time student in an accred-
25 ited school of nursing.

1 “(3) ADVANCED DEGREE PROGRAMS.—The Sec-
2 retary shall ensure that not more than 25 percent of
3 the contracts entered into under this subsection are
4 for scholarships for training in advanced degree pro-
5 grams (as that term is used in section 811).

6 “(4) SERVICE REQUIREMENT.—

7 “(A) IN GENERAL.—The Secretary may
8 not enter into a contract with a nontraditional
9 nursing student under this subsection unless
10 the student agrees to serve as a nurse at a
11 health care facility with a critical shortage of
12 nurses for a period of full-time service of not
13 less than 2 years, or for a period of part-time
14 service in accordance with subparagraph (B).

15 “(B) PART-TIME SERVICE.—A nontradi-
16 tional nursing student may complete the period
17 of service described in subparagraph (A) on a
18 part-time basis if the student has a written
19 agreement that—

20 “(i) is entered into by the facility and
21 the student and is approved by the Sec-
22 retary; and

23 “(ii) provides that the period of obli-
24 gated service will be extended so that the
25 aggregate amount of service performed will

1 equal the amount of service that would be
2 performed through a period of full-time
3 service of not less than 2 years.

4 “(5) APPLICABILITY OF CERTAIN PROVI-
5 SIONS.—The provisions of subpart III of part D of
6 title III shall, except as inconsistent with this sec-
7 tion, apply to the program established in paragraph
8 (1) in the same manner and to the same extent as
9 such provisions apply to the National Health Service
10 Corps Scholarship Program established in such sub-
11 part.”.

12 (b) PREFERENCE BASED ON FINANCIAL NEED.—
13 Section 846(f) of the Public Health Service Act (42 U.S.C.
14 297n) (as redesignated by subsection (a)(1)) is amended
15 by striking “under subsection (a) or (d)” and inserting
16 “under subsections (a), (d), and (e)”.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—Sub-
18 section (j) of section 846 of the Public Health Service Act
19 (42 U.S.C. 297n) (as redesignated by subsection (a)(1))
20 is amended—

21 (1) in paragraph (1)—

22 (A) by striking “For the purpose of” and
23 inserting the following:

24 “(A) For the purpose of”; and

25 (B) by adding at the end the following:

1 “(B) For the purpose of carrying out sub-
 2 section (e), there are authorized to be appro-
 3 priated such sums as may be necessary for each
 4 of fiscal years 2003 through 2007, except that
 5 funds may be appropriated for such purpose for
 6 a fiscal year only if the amount of such funds
 7 will be sufficient for the Secretary to enter into
 8 agreements that year under subsection (e) with
 9 not less than 250 nontraditional nursing stu-
 10 dents.”; and

11 (2) in paragraph (2), by striking “amounts ap-
 12 propriated under paragraph (1)” and inserting
 13 “amounts appropriated under paragraph (1)(A)”.

14 **SEC. 4. PROMOTING AND RECRUITING NURSES THROUGH**
 15 **ELEMENTARY AND SECONDARY SCHOOL INI-**
 16 **TIATIVES.**

17 Part H of title VIII of the Public Health Service Act
 18 (42 U.S.C. 297w et seq.) is amended—

19 (1) by amending the part heading to read as
 20 follows:

21 **“PART H—PUBLIC SERVICE ANNOUNCEMENTS**
 22 **AND RECRUITING”;**

23 and

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

1 **“SEC. 853. PROMOTING AND RECRUITING NURSES**
2 **THROUGH ELEMENTARY AND SECONDARY**
3 **SCHOOL INITIATIVES.**

4 “(a) IN GENERAL.—The Secretary shall (for fiscal
5 years 2003 and 2004) and may (for fiscal years there-
6 after) make grants to eligible entities to carry out nursing
7 awareness and recruitment programs in elementary
8 schools and secondary schools.

9 “(b) USE OF FUNDS.—The Secretary may not make
10 a grant to an applicant under this subsection unless the
11 applicant agrees—

12 “(1) to use the grant to promote careers in
13 nursing by carrying out nursing awareness and re-
14 cruitment programs in elementary and secondary
15 schools, of which at least 50 percent must have a
16 high percentage of nontraditional students; and

17 “(2) in carrying out such programs, to encour-
18 age increasing the diversity of the nursing profession
19 by presenting a diverse image of nursing inclusive of
20 nontraditional students.

21 “(c) DURATION OF GRANT.—The Secretary may not
22 make a grant under this section for a period of more than
23 3 years.

24 “(d) REPORT.—Not later than 18 months after the
25 date of enactment of this section and annually thereafter,
26 the Secretary shall submit to the Congress a report de-

1 scribing the programs carried out with grants under this
2 section, including the following:

3 “(1) The number of grant recipients.

4 “(2) The number of schools visited.

5 “(3) The total amount in grants awarded.

6 “(4) The educational institutions that received
7 visits.

8 “(5) To the extent that it can be determined,
9 the number of students who have an increased inter-
10 est in nursing.

11 “(6) The educational methods used by grant re-
12 cipients to encourage a diverse image of nursing.

13 “(7) The demographics of the schools and stu-
14 dents participating in the nursing awareness pro-
15 grams.

16 “(8) Not later than 10 years after the date of
17 enactment of this section, the percentage and num-
18 ber of individuals from the visited schools entering
19 nursing careers in comparison to such percentage
20 and number before the visits.

21 “(9) An evaluation of the overall costs and ben-
22 efits of the programs.

23 “(e) DEFINITIONS.—For purposes of this section:

24 “(1) The terms ‘elementary school’ and ‘sec-
25 ondary school’ have the meaning given to those

1 terms in section 9101 of the Elementary and Sec-
2 ondary Education Act of 1965 (20 U.S.C. 7801).

3 “(2) The term ‘eligible entity’ means any public
4 or private nonprofit organization involved in nursing
5 issues, any other public or private nonprofit organi-
6 zation approved by the Secretary, any school of
7 nursing, any nursing center, any academic health
8 center, and any State or local government.”.

9 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this section
11 such sums as may be necessary for each of fiscal years
12 2003 through 2007.”.

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