

To provide for the establishment of a Health Workforce Advisory Commission to review Federal health workforce policies and make recommendations on improving those policies.

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**IN THE SENATE OF THE UNITED STATES**

JULY 30 (legislative day, JULY 21), 2003

Mr. BINGAMAN (for himself, Mr. COCHRAN, Ms. LANDRIEU, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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**A BILL**

To provide for the establishment of a Health Workforce Advisory Commission to review Federal health workforce policies and make recommendations on improving those policies.

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 “Health Workforce Ad-  
5 visory Commission Act of 2003”.

**6 SEC. 2. HEALTH WORKFORCE ADVISORY COMMISSION.**

7       (a) ESTABLISHMENT.—The Comptroller General  
8 shall establish a commission to be known as the Health

2 as the Commission ).

3 (b) MEMBERSHIP.—

4 (1) IN GENERAL.—The Commission shall be  
5 composed of 18 members to be appointed by the  
6 Comptroller General not later than 90 days after the  
7 date of enactment of this Act, and an ex-officio  
8 member who shall serve as the Director of the Com-  
9 mission.

10 (2) QUALIFICATIONS.—In appointing members  
11 to the Commission under paragraph (1), the Com-  
12 troller General shall ensure that—

13 (A) the Commission includes individuals  
14 with national recognition for their expertise in  
15 health care workforce issues, including work-  
16 force forecasting, undergraduate and graduate  
17 training, economics, health care and health care  
18 systems financing, public health policy, and  
19 other fields;

20 (B) the members are geographically rep-  
21 resentative of the United States and maintain a  
22 balance between urban and rural representa-  
23 tives;

2 from the commissioned corps of the Public

3 Health Service;

4 (D) the members represent the spectrum  
5 of professions in the current and future  
6 healthcare workforce, including physicians,  
7 nurses, and other health professionals and per-  
8 sonnel, and are skilled in the conduct and inter-  
9 pretation of health workforce measurement,  
10 monitoring and analysis, health services, eco-  
11 nomic, and other workforce related research  
12 and technology assessment;

13 (E) at least 25 percent of the members  
14 who are health care providers are from rural  
15 areas; and

16 (F) a majority of the members are individ-  
17 uals who are not currently primarily involved in  
18 the provision or management of health profes-  
19 sions education and training programs.

20 (3) TERMS AND VACANCIES.—

21 (A) TERMS.—The term of service of the  
22 members of the Commission shall be for 3 years  
23 except that the Comptroller General shall des-  
24 ignate staggered terms for members initially ap-  
25 pointed under paragraph (1).

2 pointed to fill a vacancy on the Commission  
3 that occurs before the expiration of the term for  
4 which the member's predecessor was appointed  
5 shall be appointed only for the remainder of  
6 that term.

7 (4) CHAIRPERSON.—

8 (A) DESIGNATION.—The Comptroller Gen-  
9 eral shall designate a member of the Commis-  
10 sion, at the time of the appointment of such  
11 member—

12 (i) to serve as the Chairperson of the  
13 Commission; and

14 (ii) to serve as the Vice Chairperson  
15 of the Commission.

16 (B) TERM.—A member shall serve as the  
17 Chairperson or Vice Chairperson of the Com-  
18 mission under subparagraph (A) for the term of  
19 such member.

20 (C) VACANCY.—In the case of a vacancy in  
21 the Chairpersonship or Vice Chairpersonship,  
22 the Comptroller General shall designate another  
23 member to serve for the remainder of the va-  
24 cant member's term.

25 (c) DUTIES.—The Commission shall—

## 2. Inited—

6 (B) under titles VII and VIII of the Public  
7 Health Service Act (42 U.S.C. 292, 296 et  
8 seq.);

9 (C) by the National Institutes of Health;

10 (D) by the Department of Health and  
11 Human Services;

12 (E) by the Department of Veterans Af-  
13 fairs; and

14 (F) by other departments and agencies as  
15 appropriate;

21 (3) review the impact of health workforce poli-  
22 cies and other factors on the ability of the health  
23 care system to provide optimal medical and health  
24 care services;

2 tanning to Federal incentives (financial, regulatory,  
3 and otherwise) and Federal programs that are in  
4 place to promote the education of an appropriate  
5 number and mix of health professionals to provide  
6 access to appropriate health care in the United  
7 States;

8 (5) analyze and make recommendations about  
9 the appropriate supply and distribution of physi-  
10 cians, nurses, and other health professionals and  
11 personnel to achieve a health care system that is  
12 safe, effective, patient centered, timely, equitable,  
13 and efficient;

14 (6) analyze the role and global implications of  
15 internationally trained physicians, nurses, and other  
16 health professionals and personnel in the United  
17 States health workforce;

18 (7) analyze and make recommendations about  
19 achieving appropriate diversity in the United States  
20 health workforce;

21 (8) conduct public meetings to discuss health  
22 workforce policy issues and help formulate rec-  
23 commendations for Congress and the Secretary of  
24 Health and Human Services;

2 paragraph (8), consider the results of staff research,  
3 presentations by policy experts, and comments from  
4 interested parties;

5 (10) make recommendations to Congress con-  
6 cerning health workforce policy issues;

7 (11) not later than April 15, 2004, and each  
8 April 15 thereafter, submit a report to Congress  
9 containing the results of the reviews conducted  
10 under this subsection and the recommendations de-  
11 veloped under this subsection;

12 (12) periodically, as determined appropriate by  
13 the Commission, submit reports to Congress con-  
14 cerning specific issues that the Commission deter-  
15 mines are of high importance; and

16 (13) carry out any other activities determined  
17 appropriate by the Secretary of Health and Human  
18 Services.

19 (d) ONGOING DUTIES CONCERNING REPORTS AND

20 REVIEWS.—

21 (1) COMMENTING ON REPORTS.—

22 (A) SUBMISSION TO COMMISSION.—The  
23 Secretary of Health and Human Services shall  
24 transmit to the Commission a copy of each re-  
25 port that is submitted by the Secretary to Con-

2 relates to health workforce policy.

3 (B) REVIEW.—The Commission shall re-  
4 view a report transmitted under subparagraph  
5 (A) and, not later than 6 months after the date  
6 on which the report is transmitted, submit to  
7 the appropriate committees of Congress written  
8 comments concerning such report. Such com-  
9 ments may include such recommendations as  
10 the Commission determines appropriate.

11 (2) AGENDA AND ADDITIONAL REVIEWS.—

12 (A) IN GENERAL.—The Commission shall  
13 consult periodically with the chairman and  
14 ranking members of the appropriate committees  
15 of Congress concerning the agenda and  
16 progress of the Commission.

17 (B) ADDITIONAL REVIEWS.—The Commis-  
18 sion may from time to time conduct additional  
19 reviews and submit additional reports to the ap-  
20 propriate committees of Congress on topics re-  
21 lating to Federal health workforce-related pro-  
22 grams and as may be requested by the chair-  
23 man and ranking members of such committees.

24 (3) AVAILABILITY OF REPORTS.—The Commis-  
25 sion shall transmit to the Secretary of Health and

2 the Commission under this section and shall make  
3 such reports available to the public.

4 (e) POWERS OF THE COMMISSION.—

5 (1) GENERAL POWERS.—Subject to such review  
6 as the Comptroller General determines to be nec-  
7 essary to ensure the efficient administration of the  
8 Commission, the Commission may—

9 (A) employ and fix the compensation of the  
10 Executive Director and such other personnel as  
11 may be necessary to carry out its duties;

12 (B) seek such assistance and support as  
13 may be required in the performance of its du-  
14 ties from appropriate Federal departments and  
15 agencies;

16 (C) enter into contracts or make other ar-  
17 rangements as may be necessary for the con-  
18 duct of the work of the Commission;

19 (D) make advance, progress, and other  
20 payments that relate to the work of the Com-  
21 mission;

22 (E) provide transportation and subsistence  
23 for personnel who are serving without com-  
24 pensation; and

2 the Commission determined necessary with re-  
3 spect to the internal organization and operation  
4 of the Commission.

5 (2) INFORMATION.—To carry out its duties  
6 under this section, the Commission—

7 (A) shall have unrestricted access to all de-  
8 liberations, records, and nonproprietary data  
9 maintained by the General Accounting Office;

10 (B) may secure directly from any depart-  
11 ment or agency of the United States informa-  
12 tion necessary to enable the Commission to  
13 carry out its duties under this section, on a  
14 schedule that is agreed upon between the Chair-  
15 person and the head of the department or agen-  
16 cy involved;

17 (C) shall utilize existing information (pub-  
18 lished and unpublished) collected and assessed  
19 either by the staff of the Commission or under  
20 other arrangements;

21 (D) may conduct, or award grants or con-  
22 tracts for the conduct of, original research and  
23 experimentation where information available  
24 under subparagraphs (A) and (B) is inad-  
25 equate;

interested party to submit information to be used by the Commission in making reports and recommendations under this section; and

(F) may carry out other activities determined appropriate by the Commission.

(f) ADMINISTRATIVE PROVISIONS.—

(4) ETHICAL DISCLOSURE.—The Comptroller General shall establish a system for public disclosure by members of the Commission of financial and

3 (5) AUDITS.—The Commission shall be subject  
4 to periodic audit by the Comptroller General.

5 (g) FUNDING.—

6 (1) REQUESTS.—The Commission shall submit  
7 requests for appropriations in the same manner as  
8 the Comptroller General submits such requests.  
9 Amounts appropriated for the Commission shall be  
10 separate from amounts appropriated for the Compt-  
11 rroller General.

12 (2) AUTHORIZATION OF APPROPRIATIONS.—  
13 There are authorized to be appropriated to carry out  
14 this section, \$6,000,000 for fiscal year 2004, and  
15 such sums as may be necessary for each subsequent  
16 fiscal year, of which—

17 (A) 80 percent of such appropriated  
18 amount shall be made available from the Federal  
19 Hospital Insurance Trust Fund under section  
20 1817 of the Social Security Act (42 U.S.C.  
21 1395i); and

22 (B) 20 percent of such appropriation shall  
23 be made available for amounts appropriated to  
24 carry out title XIX of such Act (42 U.S.C.  
25 1396 et seq.).

2 committees of Congress means the Committee on Finan-  
3 nance of the Senate and the Committee on Ways and  
4 Means of the House of Representatives.

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