

109TH CONGRESS
1ST SESSION

S. 824

To amend the Internal Revenue Code of 1986 to provide a tax credit to primary health providers who establish practices in health professional shortage areas.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2005

Mr. BURNS introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide a tax credit to primary health providers who establish practices in health professional shortage areas.

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 Care Access
5 Improvement Act”.

1 **SEC. 2. NONREFUNDABLE CREDIT FOR CERTAIN PRIMARY**
 2 **HEALTH SERVICES PROVIDERS SERVING**
 3 **HEALTH PROFESSIONAL SHORTAGE AREAS.**

4 (a) IN GENERAL.—Subpart A of part IV of sub-
 5 chapter A of chapter 1 of the Internal Revenue Code of
 6 1986 (relating to nonrefundable personal credits) is
 7 amended by inserting after section 25B the following new
 8 section:

9 **“SEC. 25C. PRIMARY HEALTH SERVICES PROVIDERS SERV-**
 10 **ING HEALTH PROFESSIONAL SHORTAGE**
 11 **AREAS.**

12 “(a) ALLOWANCE OF CREDIT.—In the case of an in-
 13 dividual who is a qualified primary health services provider
 14 for any month during the taxable year, there shall be al-
 15 lowed as a credit against the tax imposed by this chapter
 16 for such taxable year an amount equal to \$1,000 for each
 17 month during such taxable year—

18 “(1) which is part of the eligible service period
 19 of such individual, and

20 “(2) for which such individual is a qualified pri-
 21 mary health services provider.

22 “(b) QUALIFIED PRIMARY HEALTH SERVICES PRO-
 23 VIDER.—For purposes of this section, the term ‘qualified
 24 primary health services provider’ means, with respect to
 25 any month, any physician, physician assistant, or nurse
 26 practitioner, who is certified for such month by the Bu-

1 reau to be a primary health services provider or a licensed
2 mental health provider who—

3 “(1) is providing primary health services full
4 time and substantially all of whose primary health
5 services are provided in a health professional short-
6 age area,

7 “(2) is not receiving during the calendar year
8 which includes such month a scholarship under the
9 National Health Service Corps Scholarship Program
10 or the Indian health professions scholarship program
11 or a loan repayment under the National Health
12 Service Corps Loan Repayment Program or the In-
13 dian Health Service Loan Repayment Program,

14 “(3) is not fulfilling service obligations under
15 such Programs, and

16 “(4) has not defaulted on such obligations.

17 Such term shall not include any individual who is de-
18 scribed in paragraph (1) with respect to any of the 3 most
19 recent months ending before the date of the enactment
20 of this section.

21 “(c) ELIGIBLE SERVICE PERIOD.—For purposes of
22 this section, the term ‘eligible service period’ means the
23 period of 60 consecutive calendar months beginning with
24 the first month the taxpayer is a qualified primary health
25 services provider.

1 “(d) OTHER DEFINITIONS AND SPECIAL RULE.—For
2 purposes of this section—

3 “(1) BUREAU.—The term ‘Bureau’ means the
4 Bureau of Health Care Delivery and Assistance,
5 Health Resources and Services Administration of the
6 United States Public Health Service.

7 “(2) PHYSICIAN.—The term ‘physician’ has the
8 meaning given to such term by section 1861(r) of
9 the Social Security Act.

10 “(3) PHYSICIAN ASSISTANT.—The term ‘physi-
11 cian assistant’ has the meaning given to such term
12 by section 1861(aa)(5)(A) of such Act.

13 “(4) NURSE PRACTITIONER.—The term ‘nurse
14 practitioner’ has the meaning given to such term by
15 section 1861(aa)(5)(A) of such Act.

16 “(5) PRIMARY HEALTH SERVICES PROVIDER.—
17 The term ‘primary health services provider’ means a
18 provider of basic health services (as described in sec-
19 tion 330(b)(1)(A)(i) of the Public Health Service
20 Act).

21 “(6) HEALTH PROFESSIONAL SHORTAGE
22 AREA.—The term ‘health professional shortage area’
23 means any area which, as of the beginning of the eli-
24 gible service period, is a health professional shortage
25 area (as defined in section 332(a)(1) of the Public

1 Health Service Act) taking into account only the cat-
2 egory of health services provided by the qualified pri-
3 mary health services provider.

4 “(7) ONLY 60 MONTHS TAKEN INTO AC-
5 COUNT.—In no event shall more than 60 months be
6 taken into account under subsection (a) by any indi-
7 vidual for all taxable years.”

8 (b) CLERICAL AMENDMENT.—The table of sections
9 for subpart A of part IV of subchapter A of chapter 1
10 of the Internal Revenue Code of 1986 is amended by in-
11 serting after the item relating to section 25B the following
12 new item:

“Sec. 25C. Primary health services providers serving health pro-
fessional shortage areas.”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to taxable years beginning after
15 December 31, 2004.

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