

110TH CONGRESS
2D SESSION

H. R. 5707

To provide incentives to physicians to practice in rural and medically underserved communities.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2008

Mr. POMEROY (for himself and Mr. MORAN of Kansas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide incentives to physicians to practice in rural and medically underserved communities.

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 “Conrad State 30 Im-
5 provement Act”.

6 **SEC. 2. ELIMINATION OF SUNSET PROVISION OF CONRAD**
7 **STATE 30 PROGRAM.**

8 Section 220(c) of the Immigration and Nationality
9 Technical Corrections Act of 1994 (8 U.S.C. 1182 note)
10 is amended by striking “and before June 1, 2008.”.

1 **SEC. 3. INCENTIVES FOR PHYSICIANS TO PRACTICE IN**
2 **MEDICALLY UNDERSERVED COMMUNITIES.**

3 Section 214 of the Immigration and Nationality Act
4 (8 U.S.C. 1184) is amended—

5 (1) in subsection (g), by adding at the end the
6 following:

7 “(12) An alien physician described in section
8 212(j)(2)(B) who entered the United States as a non-
9 immigrant described in section 101(a)(15)(H)(i)(b) to
10 pursue graduate medical education or training shall not
11 be subject to the limitations described in paragraphs (1)
12 and (4) if—

13 “(A) an interested State agency submits a re-
14 quest for an exemption under section 214(l)(1)(B);
15 and

16 “(B) the Secretary of State recommends that
17 the alien be exempted from such limitations.”; and
18 (2) in subsection (l)—

19 (A) in paragraph (1)—

20 (i) by striking “the Attorney General
21 shall not grant such waiver unless” and in-
22 serting “or for an exemption from the limi-
23 tations described in paragraphs (1) and (4)
24 of subsection (g) on behalf of an alien de-
25 scribed in subsection (g)(12), the Secretary

1 shall not grant such waiver or exemption
2 unless”;

3 (ii) in subsection (A), by inserting “or
4 exemption” before the semicolon at the
5 end;

6 (iii) in subsection (B), by striking
7 “would not cause the number of waivers
8 allotted for that State for that fiscal year
9 to exceed 30” and inserting “or exemption
10 would not cause the total number of waiv-
11 ers plus the total number of exemptions al-
12 lotted for that State for that fiscal year to
13 exceed 30, unless such allotment is in-
14 creased pursuant to paragraph (4)”;

15 (iv) in subsection (C)(ii), by inserting
16 “or exemption” after “waiver”;

17 (v) in subsection (D)—

18 (I) in clause (ii), by striking
19 “would not cause the number of the
20 waivers” and inserting “or exemption
21 would not cause the total number of
22 waivers and exemptions”;

23 (II) in clause (iii), by inserting
24 “or exemption” after “waiver”;

1 (B) in paragraph (2)(A), by striking “sta-
2 tus of an alien” and inserting “status of an
3 alien described in 212(e)(iii)”; and

4 (C) by adding at the end the following:

5 “(4) If at least 90 percent of the total number of
6 waivers and exemptions allotted under paragraph (1)(B)
7 to States that were granted not fewer than 5 such waivers
8 or exemptions, in the aggregate, during any 1 of the 3
9 previous fiscal years are granted, on a nationwide basis,
10 in the current fiscal year, the allotment of such waivers
11 and exemptions in the current fiscal year shall be in-
12 creased from 30 to 35 for each State. Such allotments
13 shall be further increased in increments of 5 each time
14 such 90 percent threshold of the adjusted allotment level
15 is reached, on a nationwide basis. The allotment for each
16 State shall reset to 30 at the beginning of each fiscal
17 year.”.

18 **SEC. 4. RETAINING PHYSICIANS IN MEDICALLY UNDER-**
19 **SERVED COMMUNITIES.**

20 Section 201(b)(1) of the Immigration and Nationality
21 Act (8 U.S.C. 1151(b)(1)) is amended by adding at the
22 end the following:

23 “(F) Alien physicians who have completed serv-
24 ice requirements of a waiver or exemption requested
25 by a State under section 214(l), including those

1 alien physicians who completed such service before
2 the date of the enactment of this subparagraph.”.

3 **SEC. 5. EXPANDING THE FLEXIBILITY OF THE CONRAD**
4 **STATE 30 PROGRAM.**

5 Section 214(l)(1)(D)(ii) of the Immigration and Na-
6 tionality Act, as amended by section 3(2)(A)(v)(I), is fur-
7 ther amended by striking “5” and inserting “10”.

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