

110TH CONGRESS  
1ST SESSION

# S. 1882

To amend the Public Health Service Act to establish various programs for the recruitment and retention of public health workers and to eliminate critical public health workforce shortages in Federal, State, local, and tribal public health agencies.

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## IN THE SENATE OF THE UNITED STATES

JULY 26, 2007

Mr. HAGEL (for himself, Mr. DURBIN, Mr. BIDEN, and Mrs. BOXER) 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 amend the Public Health Service Act to establish various programs for the recruitment and retention of public health workers and to eliminate critical public health workforce shortages in Federal, State, local, and tribal public health agencies.

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 “Public Health Pre-  
5 paredness Workforce Development Act of 2007”.

6 **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

12 (2) The ratio of public health workers to the  
13 population has dropped from 219 per 100,000 in  
14 1980 to 158 per 100,000 in 2000, while responsibil-  
15 ities of such workers have continued to expand.

18 (6) As of June 2007, approximately 42 percent  
19 of the epidemiology workforce in State and terri-  
20 torial health departments lacks formal academic  
21 training in epidemiology.

22 (7) Thirteen State public health laboratories  
23 are without doctoral-level molecular scientists on  
24 staff, and 23 have only 1. A majority of State health  
25 laboratories report they do not have enough staff on

1 board to provide surge capacity in case of a public  
2 health emergency, such as a bioterrorist attack.

3 (8) The Partnership for Public Service reports  
4 that in the field of microbiology, there are more than  
5 4 times as many full-time permanent employees over  
6 age 40 as under age 40 at the Centers for Disease  
7 Control and Prevention. Among full-time permanent  
8 employees with medical backgrounds at the Centers  
9 for Disease Control and Prevention and the Food  
10 and Drug Administration, there are 3 times as many  
11 employees over 40 years of age as under 40.

12 (9) More than 50 percent of the States cite the  
13 lack of qualified individuals or individuals willing to  
14 relocate as being a major barrier to preparedness. A  
15 study conducted by the Health Resources and Serv-  
16 ices Association reported difficulty with recruiting  
17 more educated, skilled public health providers to  
18 work in traditionally medically underserved areas,  
19 such as rural populations. Public health agencies  
20 continue to identify unmet need for public health  
21 workers who are bilingual and culturally competent.

22 (10) Lack of access to advanced education, in-  
23 cluding baccalaureate nursing and graduate studies,  
24 is a significant barrier to upgrading the existing  
25 public health workforce, particularly in rural areas.

1 **SEC. 3. PUBLIC HEALTH WORKFORCE RECRUITMENT AND**  
2 **RETENTION PROGRAMS.**

3 Part E of title VII of the Public Health Service Act  
4 (42 U.S.C. 294n et seq.) is amended by adding at the end  
5 the following:

6 **“Subpart 3—Public Health Workforce Recruitment**  
7 **and Retention Programs**

8 **“SEC. 780. PUBLIC HEALTH WORKFORCE SCHOLARSHIP**  
9 **PROGRAM.**

10 “(a) ESTABLISHMENT.—The Secretary shall estab-  
11 lish the Public Health Workforce Scholarship Program  
12 (referred to in this section as the ‘Program’) to assure  
13 an adequate supply of public health professionals to elimi-  
14 nate critical public health preparedness workforce short-  
15 ages in Federal, State, local, and tribal public health agen-  
16 cies.

17 “(b) ELIGIBILITY.—To be eligible to participate in  
18 the Program, an individual shall—

19 “(1) be accepted for enrollment, or be enrolled,  
20 as a full-time student—

21 “(A) in an accredited (as determined by  
22 the Secretary) educational institution in a State  
23 or territory; and

24 “(B) in a course of study or program, of-  
25 fered by such institution and approved by the  
26 Secretary, leading to a health professions de-

1                   gree (graduate, undergraduate, or associate) or  
2                   certificate, which may include laboratory  
3                   sciences, epidemiology, environmental health,  
4                   health communications, health education and  
5                   behavioral sciences, information sciences, or  
6                   public administration;

7                   “(2) be a United States citizen;

8                   “(3) submit an application to the Secretary to  
9                   participate in the Program; and

10                  “(4) sign and submit to the Secretary, at the  
11                  time of the submission of such application, a written  
12                  contract (described in subsection (d)) to serve, upon  
13                  the completion of the course of study or program in-  
14                  volved, for the applicable period of obligated service  
15                  in the full-time employment of a Federal, State,  
16                  local, or tribal public health agency.

17                  “(c) DISSEMINATION OF INFORMATION.—

18                  “(1) APPLICATION AND CONTRACT FORMS.—  
19                  The Secretary shall disseminate application forms  
20                  and contract forms to individuals desiring to partici-  
21                  pate in the Program. The Secretary shall include  
22                  with such forms—

23                  “(A) a fair summary of the rights and li-  
24                  abilities of an individual whose application is  
25                  approved (and whose contract is accepted) by

1 the Secretary, including in the summary a clear  
2 explanation of the damages to which the United  
3 States is entitled to recover in the case of the  
4 individual's breach of the contract; and

5                             “(B) information relating to the service ob-  
6                             ligation and such other information as may be  
7                             necessary for the individual to understand the  
8                             individual’s prospective participation in the Pro-  
9                             gram.

10       “(2) INFORMATION FOR SCHOOLS.—The Sec-  
11       retary shall distribute to health professions schools  
12       and other appropriate accredited academic institu-  
13       tions and relevant Federal, State, local, and tribal  
14       public health agencies, materials providing informa-  
15       tion on the Program and shall encourage such  
16       schools, institutions, and agencies to disseminate  
17       such materials to potentially eligible students.

18                 “(3) UNDERSTANDABILITY AND TIMING.—The  
19                 application form, contract form, and all other infor-  
20                 mation furnished by the Secretary under this section  
21                 shall—

22                   “(A) be written in a manner calculated to  
23                   be understood by the average individual apply-  
24                   ing to participate in the Program; and

1                   “(B) be made available by the Secretary on  
2                   a date sufficiently early to ensure that such in-  
3                   dividuals have adequate time to carefully review  
4                   and evaluate such forms and information.

5                   “(d) CONTRACT.—The written contract between the  
6                   Secretary and an individual shall contain—

7                   “(1) an agreement on the part of the Secretary  
8                   that the Secretary will provide the individual with a  
9                   scholarship for a period of years (not to exceed 4  
10                   academic years) during which the individual shall  
11                   pursue an approved course of study or program to  
12                   prepare the individual to serve in the public health  
13                   workforce;

14                   “(2) an agreement on the part of the individual  
15                   that the individual will—

16                   “(A) maintain full-time enrollment in the  
17                   approved course of study or program described  
18                   in subsection (b)(1) until the individual com-  
19                   pletes that course of study or program;

20                   “(B) while enrolled in the course of study  
21                   or program, maintain an acceptable level of aca-  
22                   demic standing (as determined under regula-  
23                   tions of the Secretary by the educational insti-  
24                   tution offering such course of study or pro-  
25                   gram); and

1                         “(C) immediately upon graduation, serve  
2                         in the full-time employment of a Federal, State,  
3                         local, or tribal public health agency in a posi-  
4                         tion related to the course of study or program  
5                         for which the contract was awarded for a period  
6                         of time (referred to in this section as the ‘pe-  
7                         riod of obligated service’) equal to the greater  
8                         of—

9                         “(i) 1 year for each academic year for  
10                         which the individual was provided a schol-  
11                         arship under the Program; or

12                         “(ii) 2 years;

13                         “(3) an agreement by both parties as to the na-  
14                         ture and extent of the scholarship assistance, which  
15                         may include—

16                         “(A) payment of the tuition expenses of  
17                         the individual;

18                         “(B) payment of all other reasonable edu-  
19                         cational expenses of the individual including  
20                         fees, books, equipment, and laboratory ex-  
21                         penses; and

22                         “(C) payment of a stipend of not more  
23                         than \$1,200 per month for each month of the  
24                         academic year involved (indexed to account for  
25                         increases in the Consumer Price Index);

1           “(4) a provision that any financial obligation of  
2       the United States arising out of a contract entered  
3       into under subsection (d) and any obligation of the  
4       individual which is conditioned thereon, is contingent  
5       upon funds being appropriated for scholarships  
6       under this section;

7           “(5) a statement of the damages to which the  
8       United States is entitled for the individual’s breach  
9       of the contract; and

10          “(6) such other statements of the rights and li-  
11       abilities of the Secretary and of the individual, not  
12       inconsistent with the provisions of this section.

13          “(e) POSTPONING OBLIGATED SERVICE.—With re-  
14       spect to an individual receiving a degree or certificate from  
15       a school of medicine, public health, nursing, osteopathic  
16       medicine, dentistry, veterinary medicine, optometry, po-  
17       diatry, pharmacy, psychology, or social work under a  
18       scholarship under the Program, the date of the initiation  
19       of the period of obligated service may be postponed, upon  
20       the submission by the individual of a petition for such  
21       postponement and approval by the Secretary, to the date  
22       on which the individual completes an approved internship,  
23       residency, or other relevant public health preparedness ad-  
24       vanced training program.

25          “(f) ADMINISTRATIVE PROVISIONS.—

1                 “(1) CONTRACTS WITH INSTITUTIONS.—The  
2             Secretary may contract with an educational institu-  
3             tion in which a participant in the Program is en-  
4             rolled, for the payment to the educational institution  
5             of the amounts of tuition and other reasonable edu-  
6             cational expenses described in subsection (d)(3).

7                 “(2) EMPLOYMENT CEILINGS.—Notwith-  
8             standing any other provision of law, individuals who  
9             have entered into written contracts with the Sec-  
10            etary under this section, while undergoing academic  
11            training, shall not be counted against any employ-  
12            ment ceiling affecting the Department or any other  
13            Federal agency.

14                 “(g) BREACH OF CONTRACT.—An individual who  
15             fails to comply with the contract entered into under sub-  
16            section (d) shall be subject to the same financial penalties  
17            as provided for under section 338E for breaches of schol-  
18            arship contracts under sections 338A.

19                 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
20             is authorized to be appropriated to carry out this section  
21             \$35,000,000 for fiscal year 2008, and such sums as may  
22             be necessary for each of fiscal years 2009 through 2013.

1 **“SEC. 781. PUBLIC HEALTH WORKFORCE LOAN REPAYMENT**2 **PROGRAM.**

3       “(a) ESTABLISHMENT.—The Secretary shall estab-  
4 lish the Public Health Workforce Loan Repayment Pro-  
5 gram (referred to in this section as the ‘Program’) to as-  
6 sure an adequate supply of public health professionals to  
7 eliminate critical public health preparedness workforce  
8 shortages in Federal, State, local, and tribal public health  
9 agencies.

10       “(b) ELIGIBILITY.—To be eligible to participate in  
11 the Program, an individual shall—

12           “(1)(A) be accepted for enrollment, or be en-  
13 rolled, as a full-time or part-time student in an ac-  
14 credited academic educational institution in a State  
15 or territory in the final year of a course of study or  
16 program offered by that institution leading to a  
17 health professions degree or certificate, which may  
18 include a degree (graduate, undergraduate, or asso-  
19 ciate) or certificate relating to laboratory sciences,  
20 epidemiology, environmental health, health commu-  
21 nications, health education and behavioral sciences,  
22 information sciences, or public administration; or

23           “(B) have graduated, within 10 years, from an  
24 accredited educational institution in a State or terri-  
25 tory and received a health professions degree (grad-  
26 uate, undergraduate, or associate) or certificate,

1       which may include a degree (graduate, under-  
2       graduate, or associate) or certificate relating to lab-  
3       oratory sciences, epidemiology, environmental health,  
4       health communications, health education and behav-  
5       ioral sciences, information sciences, or public admin-  
6       istration;

7           “(2)(A) in the case of an individual described in  
8       paragraph (1)(A), have accepted employment with a  
9       Federal, State, local, or tribal public health agency,  
10      as recognized by the Secretary, to commence upon  
11      graduation; or

12           “(B) in the case of an individual described in  
13       paragraph (1)(B), be employed by, or have accepted  
14       employment with, a Federal, State, local, or tribal  
15       public health agency, as recognized by the Secretary;

16           “(3) be a United States citizen;

17           “(4) submit an application to the Secretary to  
18       participate in the Program; and

19           “(5) sign and submit to the Secretary, at the  
20       time of the submission of such application, a written  
21       contract (described in subsection (d)) to serve for  
22       the applicable period of obligated service in the full-  
23       time employment of a Federal, State, local, or tribal  
24       public health agency.

25           “(c) DISSEMINATION OF INFORMATION.—

## 1           “(1) APPLICATION AND CONTRACT FORMS.—

2           The Secretary shall disseminate application forms  
3           and contract forms to individuals desiring to participate  
4           in the Program. The Secretary shall include  
5           with such forms—

6           “(A) a fair summary of the rights and liabilities of an individual whose application is  
7           approved (and whose contract is accepted) by  
8           the Secretary, including in the summary a clear  
9           explanation of the damages to which the United  
10           States is entitled to recover in the case of the  
11           individual’s breach of the contract; and

13           “(B) information relating to the service obligation and such other information as may be  
14           necessary for the individual to understand the  
15           individual’s prospective participation in the Program.

18           “(2) INFORMATION FOR SCHOOLS.—The Secretary shall distribute to health professions schools  
19           and other appropriate accredited academic institutions and relevant Federal, State, local, and tribal  
20           public health agencies, materials providing information on the Program and shall encourage such  
21           schools, institutions, and agencies to disseminate  
22           such materials to potentially eligible students.

1               “(3) UNDERSTANDABILITY AND TIMING.—The  
2 application form, contract form, and all other infor-  
3 mation furnished by the Secretary under this section  
4 shall—

5               “(A) be written in a manner calculated to  
6 be understood by the average individual apply-  
7 ing to participate in the Program; and

8               “(B) be made available by the Secretary on  
9 a date sufficiently early to ensure that such in-  
10 dividuals have adequate time to carefully review  
11 and evaluate such forms and information.

12               “(d) CONTRACT.—The written contract (referred to  
13 in this section) between the Secretary and an individual  
14 shall contain—

15               “(1) an agreement on the part of the Secretary  
16 that the Secretary will repay on behalf of the indi-  
17 vidual loans incurred by the individual in the pursuit  
18 of the relevant public health preparedness workforce  
19 educational degree or certificate in accordance with  
20 the terms of the contract;

21               “(2) an agreement on the part of the individual  
22 that the individual will serve, immediately upon  
23 graduation in the case of an individual described in  
24 subsection (b)(1)(A) service, or in the case of an in-  
25 dividual described in subsection (b)(1)(B) continue

1 to serve, in the full-time employment of a Federal,  
2 State, local, or tribal public health agency in a posi-  
3 tion related to the course of study or program for  
4 which the contract was awarded for a period of time  
5 (referred to in this section as the ‘period of obligated  
6 service’) equal to the greater of—

7 “(A) 3 years; or

8 “(B) such longer period of time as deter-  
9 mined appropriate by the Secretary and the in-  
10 dividual;

11 “(3) an agreement, as appropriate, on the part  
12 of the individual to relocate for the entire period of  
13 obligated service to a political jurisdiction designated  
14 by the Secretary to be a priority service area in ex-  
15 change for an additional loan repayment incentive  
16 amount that does not exceed 20 percent of the indi-  
17 vidual’s eligible loan repayment award per academic  
18 year such that the total of the loan repayment and  
19 the incentive amount shall not exceed  $\frac{1}{3}$  of the eligi-  
20 ble loan balance per year;

21 “(4) in the case of an individual described in  
22 subsection (b)(1)(A) who is in the final year of study  
23 and who has accepted employment with a Federal,  
24 State, local, or tribal public health agency upon  
25 graduation, an agreement on the part of the indi-

1       vidual to complete the education or training, main-  
2       tain an acceptable level of academic standing (as de-  
3       termined by the education institution offering the  
4       course of study or training), and agree to the period  
5       of obligated service;

6               “(5) a provision that any financial obligation of  
7       the United States arising out of a contract entered  
8       into under this section and any obligation of the in-  
9       dividual that is conditioned thereon, is contingent on  
10       funds being appropriated for loan repayments under  
11       this section;

12               “(6) a statement of the damages to which the  
13       United States is entitled, under this section for the  
14       individual’s breach of the contract; and

15               “(7) such other statements of the rights and li-  
16       abilities of the Secretary and of the individual, not  
17       inconsistent with this section.

18       “(e) PAYMENTS.—

19               “(1) IN GENERAL.—A loan repayment provided  
20       for an individual under a written contract under the  
21       Program shall consist of payment, in accordance  
22       with paragraph (2), on behalf of the individual of  
23       the principal, interest, and related expenses on gov-  
24       ernment and commercial loans received by the indi-  
25       vidual regarding the undergraduate or graduate edu-

1 cation of the individual (or both), which loans were  
2 made for—

3 “(A) tuition expenses; or  
4 “(B) all other reasonable educational ex-  
5 penses, including fees, books, and laboratory ex-  
6 penses, incurred by the individual.

7 “(2) PAYMENTS FOR YEARS SERVED.—

8 “(A) IN GENERAL.—For each year of obli-  
9 gated service that an individual contracts to  
10 serve under subsection (d) the Secretary may  
11 pay up to \$35,000 on behalf of the individual  
12 for loans described in paragraph (1). With re-  
13 spect to participants under the Program whose  
14 total eligible loans are less than \$105,000, the  
15 Secretary shall pay an amount that does not ex-  
16 ceed  $\frac{1}{3}$  of the eligible loan balance for each  
17 year of obligated service of the individual.

18 “(B) REPAYMENT SCHEDULE.—Any ar-  
19 rangement made by the Secretary for the mak-  
20 ing of loan repayments in accordance with this  
21 subsection shall provide that any repayments  
22 for a year of obligated service shall be made no  
23 later than the end of the fiscal year in which  
24 the individual completes such year of service.

1               “(3) TAX LIABILITY.—For the purpose of pro-  
2       viding reimbursements for tax liability resulting  
3       from payments under paragraph (2) on behalf of an  
4       individual—

5               “(A) the Secretary shall, in addition to  
6       such payments, make payments to the indi-  
7       vidual in an amount not to exceed 39 percent  
8       of the total amount of loan repayments made  
9       for the taxable year involved; and

10               “(B) may make such additional payments  
11       as the Secretary determines to be appropriate  
12       with respect to such purpose.

13               “(4) PAYMENT SCHEDULE.—The Secretary  
14       may enter into an agreement with the holder of any  
15       loan for which payments are made under the Pro-  
16       gram to establish a schedule for the making of such  
17       payments.

18               “(f) POSTPONING OBLIGATED SERVICE.—With re-  
19       spect to an individual receiving a degree or certificate from  
20       a school of medicine, public health, nursing, osteopathic  
21       medicine, dentistry, veterinary medicine, optometry, po-  
22       diatry, pharmacy, psychology, or social work, the date of  
23       the initiation of the period of obligated service may be  
24       postponed, upon the submission by the individual of a peti-  
25       tion for such postponement and approval by the Secretary,

1 to the date on which the individual completes an approved  
2 internship, residency, or other relevant public health pre-  
3 paredness advanced training program.

4       “(g) ADMINISTRATIVE PROVISIONS.—

5           “(1) HIRING PRIORITY.—Notwithstanding any  
6 other provision of law, Federal, State, local, and  
7 tribal public health agencies may give hiring priority  
8 to any individual who has qualified for and is willing  
9 to execute a contract to participate in the Program.

10          “(2) EMPLOYMENT CEILINGS.—Notwith-  
11 standing any other provision of law, individuals who  
12 have entered into written contracts with the Sec-  
13 retary under this section, who are serving as full-  
14 time employees of a State, local, or tribal public  
15 health agency, or who are in the last year of public  
16 health workforce academic preparation, shall not be  
17 counted against any employment ceiling affecting  
18 the Department or any other Federal agency.

19          “(h) BREACH OF CONTRACT.—An individual who  
20 fails to comply with the contract entered into under sub-  
21 section (d) shall be subject to the same financial penalties  
22 as provided for under section 338E for breaches of loan  
23 repayment contracts under section 338B.

24          “(i) AUTHORIZATION OF APPROPRIATIONS.—There is  
25 authorized to be appropriated to carry out this section

1 \$195,000,000 for fiscal year 2008, and such sums as may  
2 be necessary for each of fiscal years 2009 through 2013.

3 **“SEC. 782. GRANTS FOR STATE AND LOCAL PROGRAMS.**

4       “(a) IN GENERAL.—For the purpose of operating  
5 State, local, and tribal public health workforce loan repay-  
6 ment programs, the Secretary shall award a grant to any  
7 public health agency that receives public health prepared-  
8 ness cooperative agreements, or other successor coopera-  
9 tive agreements, from the Department of Health and  
10 Human Services.

11       “(b) REQUIREMENTS.—A State or local loan repay-  
12 ment program operated with a grant under subsection (a)  
13 shall incorporate all provisions of the Public Health Work-  
14 force Loan Repayment Program under section 781, in-  
15 cluding the ability to designate priority service areas with-  
16 in the relevant political jurisdiction.

17       “(c) ADMINISTRATION.—The head of the State or  
18 local office that receives a grant under subsection (a) shall  
19 be responsible for contracting and operating the loan re-  
20 payment program under the grant.

21       “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
22 tion shall be construed to obligate or limit any State, local,  
23 or tribal government entity from implementing inde-  
24 pendent or supplemental public health workforce develop-  
25 ment programs within their borders.

1   **“SEC. 783. TRAINING FOR MID-CAREER PUBLIC HEALTH**2                   **PROFESSIONALS.**

3       “(a) IN GENERAL.—The Secretary may make grants  
4 to, or enter into contracts with, any eligible entity to  
5 award scholarships to eligible individuals to enroll in de-  
6 gree or professional training programs for the purpose of  
7 enabling mid-career professionals in the public health  
8 workforce to receive additional training in the field of pub-  
9 lic health preparedness or biodefense.

## 10      “(b) ELIGIBILITY.—

11       “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
12 tity’ indicates an accredited educational institution  
13 that offers a course of study, certificate program, or  
14 professional training program in infectious disease  
15 science, medicine, public health, veterinary medicine,  
16 or other discipline impacting or influenced by bioter-  
17 rrorism or emerging infectious diseases

18       “(2) ELIGIBLE INDIVIDUALS.—The term ‘eli-  
19 gible individuals’ includes those individuals employed  
20 in public health positions at the Federal, State, trib-  
21 al, or local level who are interested in retaining or  
22 upgrading their education.

23       “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
24 is authorized to be appropriated to carry out this section,  
25 \$30,000,000 for fiscal year 2008 and such sums as may  
26 be necessary for each of fiscal years 2009 through 2013.

1 "SEC. 784. CATALOGUE OF FEDERAL PUBLIC HEALTH  
2 WORKFORCE EMPLOYMENT OPPORTUNITIES.

3       “(a) IN GENERAL.—The Director of the Office of  
4 Personnel Management, in cooperation with the Secretary,  
5 shall ensure that included in the Internet website of the  
6 Office of Personnel Management, there is an online cata-  
7 logue, or link to an online catalogue, of public health work-  
8 force employment opportunities in the Federal Govern-  
9 ment.

10        "(b) REQUIREMENTS.—To the extent practicable, the  
11 catalogue described in subsection (a) shall include—

12                   “(1) existing and projected job openings in the  
13                   Federal public health workforce; and

14                   “(2) a general discussion of the occupations  
15                   that comprise the Federal public health workforce

16       “(c) INFORMATION.—The Secretary shall include a  
17 copy of the catalogue described in subsection (a), or a  
18 prominent reference to the catalogue, in—

19               “(1) the application forms provided under sec-  
20               tion 780(c)(1); and

21               “(2) the information for schools provided under  
22               section 780(c)(2).”.

