

111TH CONGRESS
1ST SESSION

H. R. 3234

To establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2009

Ms. EDDIE BERNICE JOHNSON of Texas introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

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 “Community-Based
5 Health Care Retraining Act”.

1 **SEC. 2. HEALTH PROFESSIONS TRAINING DEMONSTRATION**
2 **PROJECT.**

3 Section 171 of the Workforce Investment Act of 1998
4 (29 U.S.C. 2916) is amended by adding at the end the
5 following:

6 “(f) HEALTH PROFESSIONS TRAINING DEMONSTRA-
7 TION PROJECT.—

8 “(1) DEFINITIONS.—In this subsection the fol-
9 lowing definitions apply:

10 “(A) COVERED COMMUNITY.—The term
11 ‘covered community’ means a community or re-
12 gion—

13 “(i) that has experienced a significant
14 percentage decline in rates of employment;
15 and

16 “(ii)(I) that is determined by the Sec-
17 retary of Health and Human Services (in
18 consultation with the medical community)
19 to be an area with a shortage of health
20 care professionals described in subpara-
21 graph (C)(i); or

22 “(II) that is underserved by the
23 health care structure, such as a rural com-
24 munity, a community with a significant mi-
25 nority population, or a community for
26 which an applicant can otherwise dem-

1 onstrate need for increased training for
2 health care professionals.

3 “(B) COVERED WORKER.—The term ‘cov-
4 ered worker’ means an individual who—

5 “(i)(I) has been terminated or laid
6 off, or who has received a notice of termi-
7 nation or layoff;

8 “(II)(aa) is eligible for or has ex-
9 hausted entitlement to unemployment com-
10 pensation; or

11 “(bb) has been employed for a dura-
12 tion sufficient to demonstrate, to the ap-
13 propriate entity at a one-stop center re-
14 ferred to in section 134(c), attachment to
15 the workforce, but is not eligible for unem-
16 ployment compensation due to insufficient
17 earnings or having performed services for
18 an employer that were not covered under a
19 State unemployment compensation law;
20 and

21 “(III) is unlikely to return to a pre-
22 vious industry or occupation;

23 “(ii)(I) has been terminated or laid
24 off, or has received a notice of termination
25 or layoff, as a result of any permanent clo-

1 sure of, or any substantial layoff at, a
2 plant, facility, or enterprise; or

3 “(II) is employed at a facility at
4 which the employer has made a general an-
5 nouncement that such facility will close
6 within 180 days; or

7 “(iii) is an incumbent worker em-
8 ployed in a health care profession, and
9 whose training will provide an opportunity
10 for employment of other individuals by in-
11 creasing—

12 “(I) the number of instructors
13 serving the covered community; or

14 “(II) the number of vacant posi-
15 tions in the covered community.

16 “(C) HEALTH CARE PROFESSIONAL.—The
17 term ‘health care professional’—

18 “(i) means an individual who is in-
19 volved with—

20 “(I) the delivery of health care
21 services, or related services, pertaining
22 to—

23 “(aa) the identification,
24 evaluation, management, and

1 prevention of diseases, disorders,
2 or injuries; or

3 “(bb) home-based or com-
4 munity-based long-term care;

5 “(II) the delivery of dietary and
6 nutrition services;

7 “(III) the delivery of dental serv-
8 ices; or

9 “(IV) rehabilitation and health
10 systems management; and

11 “(ii) includes individuals in health
12 care professions for which there is a short-
13 age in the community involved, as deter-
14 mined by the Secretary of Health and
15 Human Services (in consultation with the
16 medical community) or as otherwise dem-
17 onstrated by the applicant.

18 “(D) TRIBAL COLLEGE OR UNIVERSITY.—

19 The term ‘tribal college or university’ means a
20 Tribal College or University, as defined in sec-
21 tion 316(b) of the Higher Education Act of
22 1965 (20 U.S.C. 1059c(b)).

23 “(2) ESTABLISHMENT OF PROJECT.—In ac-
24 cordance with subsection (b), the Secretary shall es-

1 tablish and carry out a health professions training
2 demonstration project.

3 “(3) GRANTS.—In carrying out the project, the
4 Secretary, after consultation with the Secretary of
5 Health and Human Services, shall make grants to
6 eligible entities to pay for the Federal share of the
7 cost of enabling the entities to carry out programs
8 in covered communities to train covered workers for
9 employment as health care professionals (referred to
10 in this subsection as ‘training programs’). The Sec-
11 retary shall make each grant in an amount of not
12 less than \$100,000 and not more than \$500,000,
13 and each such grant shall be for a period of 5 years.

14 “(4) ELIGIBLE ENTITIES.—Notwithstanding
15 subsection (b)(2)(B), to be eligible to receive a grant
16 under this subsection to carry out a training pro-
17 gram in a covered community, an entity shall be a
18 partnership that consists of—

19 “(A) a local workforce investment board
20 established under section 117 that is serving
21 the covered community; and

22 “(B) an institution of higher education, as
23 defined in sections 101 and 102 of the Higher
24 Education Act of 1965 (20 U.S.C. 1001, 1002),
25 in partnership with at least 1 of the following:

1 “(i) A health clinic or hospital.

2 “(ii) A home-based or community-
3 based long-term care facility or program.

4 “(iii) A health care facility adminis-
5 tered by the Secretary of Veterans Affairs.

6 “(iv) A tribal college or university.

7 “(v) A labor organization, or an in-
8 dustry or industry group.

9 “(vi) A local economic development
10 entity serving the covered community.

11 “(vii) A joint labor-management part-
12 nership.

13 “(5) APPLICATIONS.—To be eligible to receive a
14 grant under this subsection, an entity shall submit
15 an application to the Secretary at such time, in such
16 manner, and containing such information as the Sec-
17 retary may require, including, at a minimum—

18 “(A) a proposal to use the grant funds to
19 establish or expand a training program in order
20 to train covered workers for employment as
21 health care professionals, including information
22 that demonstrates the long-term viability of the
23 training program beyond the period of the
24 grant;

1 “(B) information demonstrating the need
2 for the training and support services to be pro-
3 vided through the training program;

4 “(C) information describing the manner in
5 which the entity will expend the grant funds,
6 and the activities to be carried out with the
7 funds;

8 “(D) information demonstrating that the
9 entity meets the requirements of paragraph (4);

10 “(E) with respect to training programs
11 carried out by the applicant, information—

12 “(i) on the graduation rates of the
13 training programs involved;

14 “(ii) on the retention measures car-
15 ried out by the applicant;

16 “(iii) on the length of time necessary
17 to complete the training programs of the
18 applicant; and

19 “(iv) on the number of qualified cov-
20 ered workers that are refused admittance
21 into the training programs because of lack
22 of capacity; and

23 “(F) a description of how the applicant
24 has engaged all relevant stakeholders, including
25 the health care industry to be served by the

1 training program, local labor organizations and
2 other workforce groups, and local industry, in
3 the design of the training program to be served
4 with grant funds.

5 “(6) SELECTION.—In making grants under
6 paragraph (3), the Secretary, after consultation with
7 the Secretary of Health and Human Services,
8 shall—

9 “(A) consider the information submitted by
10 the eligible entities under paragraph (5)(E);

11 “(B) select—

12 “(i) eligible entities submitting appli-
13 cations that meet such criteria as the Sec-
14 retary of Labor determines to be appro-
15 priate; and

16 “(ii) among such entities, the eligible
17 entities serving the covered communities
18 with the greatest need for the grants and
19 the greatest potential to benefit from the
20 grants; and

21 “(C) give preference to eligible entities—

22 “(i) submitting applications to serve
23 covered workers who have been terminated
24 or laid off or have received a notice of ter-
25 mination or layoff from a manufacturing,

1 service, or construction industry, or an-
2 other industry with significant decline in
3 employment as determined by the Sec-
4 retary; and

5 “(ii) with a demonstrated history of
6 similar and successful partnerships with
7 State boards or local boards, institutions of
8 higher education (as defined in paragraph
9 (4)(B)), industry groups, and labor organi-
10 zations.

11 “(7) USE OF FUNDS.—

12 “(A) IN GENERAL.—An entity that re-
13 ceives a grant under this subsection shall use
14 the funds made available through the grant for
15 training and support services that meet the
16 needs described in the application submitted
17 under paragraph (5), which may include—

18 “(i) implementing training programs
19 for covered workers;

20 “(ii) providing support services for
21 covered workers participating in the train-
22 ing programs, such as—

23 “(I) providing tuition assistance;

24 “(II) establishing or expanding
25 distance education programs;

1 “(III) providing transportation
2 assistance; or

3 “(IV) providing child care; or

4 “(iii) increasing capacity, subject to
5 subparagraph (B), at an educational insti-
6 tution or training center to train individ-
7 uals for employment as health profes-
8 sionals, such as by—

9 “(I) expanding a facility, subject
10 to subparagraph (B);

11 “(II) expanding course offerings;

12 “(III) hiring faculty;

13 “(IV) providing a student loan
14 repayment program for the faculty;

15 “(V) establishing or expanding
16 clinical education opportunities;

17 “(VI) purchasing equipment,
18 such as computers, books, clinical
19 supplies, or a patient simulator; or

20 “(VII) conducting recruitment.

21 “(B) LIMITATION.—Any such grant funds
22 that are used to expand facilities may only be
23 used to rent or modernize existing facilities, not
24 to build additional facilities. The entity shall
25 use not less than 50 percent of the grant funds

1 to carry out activities described in clause (i) or
2 (ii) of subparagraph (A), unless the entity dem-
3 onstrates, in the application submitted under
4 paragraph (5), a need to spend more than 50
5 percent of the grant funds on activities de-
6 scribed in subparagraph (A)(iii).

7 “(8) FEDERAL SHARE.—

8 “(A) IN GENERAL.—The Federal share of
9 the cost described in paragraph (3) shall be—

10 “(i) for the first year of the grant pe-
11 riod, 95 percent;

12 “(ii) for the second such year, 85 per-
13 cent;

14 “(iii) for the third such year, 75 per-
15 cent;

16 “(iv) for the fourth such year, 65 per-
17 cent; and

18 “(v) for the fifth such year, 55 per-
19 cent.

20 “(B) NON-FEDERAL SHARE.—The eligible
21 entity shall provide the non-Federal share of
22 the cost in cash or in kind, fairly evaluated, in-
23 cluding plant, equipment, or services.

24 “(9) EVALUATION.—

1 “(A) IN GENERAL.—Under the Secretary’s
2 existing authority under section 172, not more
3 than 1 percent of the funds provided under this
4 subsection shall be used for evaluation of the
5 training programs described in paragraph (3).
6 Eligible entities receiving grants under this sec-
7 tion shall use not more than 1 percent of the
8 grant funds for purposes of evaluation or docu-
9 mentation of the training programs.

10 “(B) CONTENTS.—In conducting an eval-
11 uation under subparagraph (A), an eligible enti-
12 ty shall provide data detailing the success of the
13 training program carried out by the entity
14 under paragraph (3), including—

15 “(i) information on the number and
16 percentage of participating covered work-
17 ers who complete a training program, in-
18 cluding those who earn a degree or certifi-
19 cate through such training programs;

20 “(ii) information on the rate of em-
21 ployment of covered workers who have
22 completed the training program;

23 “(iii) an assessment of how well the
24 needs of the health care community were
25 addressed by the training program; and

1 “(iv) any other data determined to be
2 relevant by the entity to demonstrate the
3 success of the training program.

4 “(C) REPORT.—The Secretary shall com-
5 pile the information resulting from the evalua-
6 tion or documentation conducted under sub-
7 paragraph (A), and shall submit a report to
8 Congress containing the information.

9 “(10) FUNDING.—Of the amounts appropriated
10 to, and available at the discretion of, the Secretary
11 or the Secretary of Health and Human Services for
12 programmatic and administrative expenditures, a
13 total of \$25,000,000 shall be used to establish and
14 carry out the demonstration project described in
15 paragraph (2) in accordance with this subsection.”.

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