

116TH CONGRESS
1ST SESSION

H. R. 4870

To amend the Public Health Service Act with respect to the Public Health Service Corps.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2019

Mr. BURGESS (for himself and Ms. ESHOO) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act with respect to
the Public Health Service Corps.

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 “United States Public
5 Health Service Modernization Act of 2019”.

6 **SEC. 2. AMENDMENTS.**

7 (a) COMMISSIONED CORPS AND READY RESERVE
8 CORPS.—Section 203 of the Public Health Service Act (42
9 U.S.C. 204) is amended—

(1) in subsection (a)(1), by striking “ a Ready Reserve Corps for service in time of national emergency” and inserting “, for service in time of a public health or national emergency, a Ready Reserve Corps”; and

(2) in subsection (c)—

(A) in the heading, by striking “RESEARCH” and inserting “RESERVE CORPS”;

(B) in paragraph (1), by inserting “during public health or national emergencies” before the period;

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, consistent with paragraph (1)” after “shall”;

(ii) in subparagraph (C), by inserting “during such emergencies” after “members”; and

(iii) in subparagraph (D), by inserting “, consistent with subparagraph (C)” before the period; and

(D) by adding at the end the following:

“(3) STATUTORY REFERENCES TO RESERVE.—

A reference in any Federal statute, except in the case of subsection (b), to the ‘Reserve Corps’ of the

1 Public Health Service or to the ‘reserve’ of the Pub-
 2 lic Health Service shall be deemed to be a reference
 3 to the Ready Reserve Corps.”.

4 (b) DEPLOYMENT READINESS.—Section
 5 203A(a)(1)(B) of the Public Health Service Act (42
 6 U.S.C. 204a(a)(1)(B)) is amended by striking “Active Re-
 7 serves” and inserting “Ready Reserve Corps”.

8 (c) RETIREMENT OF COMMISSIONED OFFICERS.—
 9 Section 211 of the Public Health Service Act (42 U.S.C.
 10 212) is amended—

11 (1) by striking “(in the case of an officer in the
 12 Reserve Corps)” each place it appears;

13 (2) by striking “the Service” each place it ap-
 14 pears and inserting “the Regular Corps”;

15 (3) in subsection (c)—

16 (A) in paragraph (1)—

17 (i) by striking “or an officer of the
 18 Reserve Corps”; and

19 (ii) by inserting “or under section
 20 221(a)(19)” after “subsection (a)”; and

21 (B) in paragraph (2), by striking “Regular
 22 or Reserve Corps” and inserting “Regular
 23 Corps or Ready Reserve Corps”; and

24 (4) in subsection (f), by striking “the Regular
 25 or Reserve Corps of”.

1 (d) RIGHTS, PRIVILEGES, ETC. OF OFFICERS AND
2 SURVIVING BENEFICIARIES.—Section 221 of the Public
3 Health Service Act (42 U.S.C. 213a) is amended—

4 (1) in subsection (a), by adding at the end the
5 following:

6 “(19) Chapter 1223, Retired Pay for Non-Reg-
7 ular Service.

8 “(20) Section 12601, Compensation: Reserve on
9 active duty accepting from any person.

10 “(21) Section 12684, Reserves: separation for
11 absence without authority or sentence to imprison-
12 ment.”; and

13 (2) in subsection (b)—

14 (A) by striking “Secretary of Health, Edu-
15 cation, and Welfare or his designee” and insert-
16 ing “Secretary of Health and Human Services
17 or the designee of such secretary”;

18 (B) by striking “(b) The authority vested”
19 and inserting the following:

20 “(b)(1) The authority vested”;

21 (C) by striking “For purposes of” and in-
22 serting the following:

23 “(2) For purposes of”; and

24 (D) by adding at the end the following:

1 “(3) For purposes of paragraph (19) of subsection
2 (a), the terms ‘Military department’, ‘Secretary con-
3 cerned’, and ‘Armed forces’ in such title 10 shall be
4 deemed to include, respectively, the Department of Health
5 and Human Services, the Secretary of Health and Human
6 Services, and the Commissioned Corps.”.

7 (e) TECHNICAL AMENDMENTS.—Title II of the Pub-
8 lic Health Service Act (42 U.S.C. 202 et seq.) is amend-
9 ed—

10 (1) in sections 204, 207(c), and 208(a), by
11 striking “Regular or Reserve Corps” and inserting
12 “Regular Corps or Ready Reserve Corps”; and

13 (2) in sections 205(c), 206(c), 210, and 219,
14 and in subsections (a), (b), and (d) of section 207,
15 by striking “Reserve Corps” each place it appears
16 and inserting “Ready Reserve Corps”.

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