

116TH CONGRESS
2D SESSION

S. 4349

To address behavioral health and well-being among health care professionals.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2020

Mr. KAINE (for himself, Mr. YOUNG, Mr. REED, and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To address behavioral health and well-being among health care professionals.

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 “Dr. Lorna Breen
5 Health Care Provider Protection Act”.

6 **SEC. 2. BEHAVIORAL HEALTH AND WELL-BEING TRAINING**
7 **FOR HEALTH CARE PROFESSIONALS.**

8 Subpart 1 of part E of title VII of the Public Health
9 Service Act (42 U.S.C. 294n et seq.) is amended by adding
10 at the end the following:

1 **“SEC. 764. BEHAVIORAL HEALTH AND WELL-BEING TRAIN-**
2 **ING FOR HEALTH CARE PROFESSIONALS.**

3 “(a) GRANT PROGRAM.—The Secretary shall estab-
4 lish a program to award grants to health professions
5 schools, academic health centers, State or local govern-
6 ments, or other appropriate public or private nonprofit en-
7 tities for funding and participation in health professions
8 and nursing training activities for the training of health
9 care students, residents, or professionals in evidence-in-
10 formed strategies to reduce and prevent suicide, burnout,
11 behavioral health conditions, including mental health con-
12 ditions and substance use disorders, among health care
13 professionals, and in evidence-informed strategies to im-
14 prove health care professionals’ well-being and job satis-
15 faction.

16 “(b) ELIGIBILITY.—To be eligible for a grant under
17 subsection (a), an entity described in such subsection shall
18 submit to the Secretary an application at such time, in
19 such manner, and containing such information as the Sec-
20 retary may require.

21 “(c) REPORTING REQUIREMENT.—Each entity
22 awarded a grant under this section shall periodically sub-
23 mit to the Secretary a report evaluating the activities sup-
24 ported by the grant.

25 “(d) BEST PRACTICES.—The Secretary may identify
26 and disseminate evidence-informed best practices for re-

1 ducing and preventing suicide and burnout among health
 2 care professionals, and training health care professionals
 3 in appropriate strategies and promoting their mental and
 4 behavioral health and job satisfaction. Such best practices
 5 shall include specific recommendations for reducing and
 6 preventing suicide, burnout, and other mental and behav-
 7 ioral health concerns among health care professionals dur-
 8 ing or in the aftermath of a pandemic, natural disaster,
 9 or other crisis.

10 “(e) AUTHORIZATION OF APPROPRIATIONS.—To
 11 carry out this section, there are authorized to be appro-
 12 priated such sums as may be necessary for each of fiscal
 13 years 2021 through 2025.”.

14 **SEC. 3. EDUCATION AND AWARENESS CAMPAIGN ENCOUR-**
 15 **AGING USE OF MENTAL AND BEHAVIORAL**
 16 **HEALTH SERVICES BY HEALTH CARE PRO-**
 17 **FESSIONALS.**

18 (a) IN GENERAL.—The Secretary of Health and
 19 Human Services (referred to in this section as the “Sec-
 20 retary”), acting through the Director of the Centers for
 21 Disease Control and Prevention, and in consultation with
 22 the medical professional community, shall establish a na-
 23 tional evidence-based education and awareness campaign
 24 targeting health care professionals to encourage such pro-
 25 fessionals to seek support and treatment for their own

1 mental and behavioral health concerns, help such profes-
 2 sionals identify risk factors in themselves and others and
 3 learn how best to respond to such risks, with the goal of
 4 reducing or preventing suicide, burnout, and mental and
 5 behavioral health conditions, and to address stigma associ-
 6 ated with seeking mental and behavioral health support
 7 and treatment.

8 (b) REPORTING.—Not later than 2 years after the
 9 date of enactment of this Act, the Secretary shall provide
 10 an update on the campaign’s progress, including a plan
 11 for evaluation that includes quantitative and qualitative
 12 metrics, and a media and dissemination plan, to the Com-
 13 mittee on Health, Education, Labor, and Pensions of the
 14 Senate and the Committee on Energy and Commerce of
 15 the House of Representatives.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There
 17 are authorized to be appropriated to carry out this section
 18 \$10,000,000 for each of fiscal years 2021 through 2025.

19 **SEC. 4. GRANTS FOR HEALTH CARE PROVIDERS TO PRO-**
 20 **MOTE MENTAL AND BEHAVIORAL HEALTH**
 21 **AMONG THEIR HEALTH PROFESSIONAL**
 22 **WORKFORCE.**

23 Subpart 1 of part E of title VII of the Public Health
 24 Service Act (42 U.S.C. 294n et seq.), as amended by sec-

tion 2, is further amended by adding at the end the following:

**“SEC. 764A. GRANTS FOR HEALTH CARE PROVIDERS TO
PROMOTE MENTAL AND BEHAVIORAL
HEALTH AMONG THEIR HEALTH PROFESSIONAL WORKFORCE.**

“(a) IN GENERAL.—The Secretary shall award grants to health care providers, including medical professional associations, to establish or expand evidence-informed programs dedicated to promoting mental and behavioral health among their employees (including contractors) or members who are working on the front lines of the SARS-CoV-2 pandemic.

“(b) USE OF GRANT FUNDS.—A health care provider awarded a grant under subsection (a) shall use amounts under the grant to implement a new program or protocol or expand an existing program or protocol to promote mental and behavioral health among employees (including contractors) or members who have previously treated or otherwise served, or are currently treating or otherwise serving, patients diagnosed with COVID-19, which may include any of the following:

“(1) Educating employees, including contractors, or membership about risk factors for and signs of self-harm and suicide and mental and behavioral

1 health conditions in accordance with evidence-based
2 practices and standards.

3 “(2) Establishing new or enhancing existing
4 evidence-based programs or protocols for preventing
5 mental and behavioral health conditions, suicide, or
6 self-harm.

7 “(3) Establishing new or enhancing existing
8 peer-support programs among employees (including
9 contractors) or members.

10 “(4) Mental and behavioral health treatment,
11 follow up services and care, or referral for such serv-
12 ices identified as appropriate as a result of the
13 screenings or prevention programs and protocol de-
14 scribed in paragraphs (1) and (2).

15 “(c) GRANT TERMS.—A grant awarded under sub-
16 section (a)—

17 “(1) shall be for a period of 3 years; and

18 “(2) may be renewed subject to the require-
19 ments of this section.

20 “(d) APPLICATION SUBMISSION.—A health care pro-
21 vider seeking a grant under subsection (a) shall submit
22 an application to the Secretary at such time, in such man-
23 ner, and accompanied by such information as the Sec-
24 retary may require.

1 “(e) PRIORITY.—Priority shall be given to applica-
 2 tions from health care providers located in current or
 3 former COVID–19 hotspots, as determined by the Sec-
 4 retary or health care providers which have diagnosed or
 5 treated a higher share of COVID–19 patients, as deter-
 6 mined by the Secretary.

7 “(f) REPORTING.—A health care provider awarded a
 8 grant under subsection (a) shall periodically submit to the
 9 Secretary a report evaluating the activities supported by
 10 the grant.

11 “(g) AUTHORIZATION OF APPROPRIATIONS.—To
 12 carry out this section, there is authorized to be appro-
 13 priated \$50,000,000 for the period of fiscal years 2021
 14 through 2023.”.

15 **SEC. 5. COMPREHENSIVE STUDY ON HEALTH CARE PRO-**
 16 **FESSIONAL MENTAL AND BEHAVIORAL**
 17 **HEALTH AND BURNOUT.**

18 Subpart 1 of part E of title VII of the Public Health
 19 Service Act (42 U.S.C. 294n et seq.), as amended by sec-
 20 tion 4, is further amended by adding at the end the fol-
 21 lowing:

1 **“SEC. 764B. COMPREHENSIVE STUDY ON HEALTH CARE**
2 **PROFESSIONAL MENTAL AND BEHAVIORAL**
3 **HEALTH AND BURNOUT.**

4 “(a) IN GENERAL.—The Secretary, in consultation
5 with stakeholders, shall conduct a review and submit rec-
6 ommendations to Congress on policies to improve health
7 care professional mental health and prevent burnout.

8 “(b) CONSIDERATIONS.—The study under subsection
9 (a) shall focus on identifying—

10 “(1) the factors that contribute to mental and
11 behavioral health conditions and burnout among
12 health care professionals;

13 “(2) the barriers to seeking and accessing men-
14 tal and behavioral health treatment for health care
15 professionals, including stigma and concerns about
16 licensing and credentialing;

17 “(3) the implications of poor mental and behav-
18 ioral health and burnout among health care profes-
19 sionals for the health care system, the health care
20 workforce, and patient outcomes;

21 “(4) the impact of the SARS-CoV-2 pandemic
22 on the mental and behavioral health of health care
23 professionals and related preparedness strategies for
24 future health emergencies;

25 “(5) the factors that promote mental and be-
26 havioral health and resiliency among health care

1 professionals, including programs or protocols that
2 strengthen mental and behavioral health or prevent
3 burnout among health care professionals; and

4 “(6) the efficacy of health professional training
5 programs that promote resiliency and improve men-
6 tal health.

7 “(c) RECOMMENDATIONS.—The study required under
8 subsection (a) shall include recommendations related to—

9 “(1) improving mental and behavioral health
10 and preventing burnout among health care profes-
11 sionals;

12 “(2) removing barriers to mental and behavioral
13 health care for health care professionals; and

14 “(3) strategies to promote resiliency among
15 health care professionals and other employees and
16 contractors in health care settings.

17 “(d) COMPLETION.—The Secretary shall ensure that
18 the study under subsection (a) is completed and submitted
19 to Congress and made publicly available not later than 3
20 years after the date of enactment of this section.

21 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out this section
23 \$3,000,000 for the period of fiscal years 2021 through
24 2023.”.

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