

(ii) has completed (but not prior to the end of the calendar year in which this section is enacted) the training described in subparagraph (B).

(B) Child and adolescent mental and behavioral health

For purposes of contracts with respect to child and adolescent mental and behavioral health care, the term “qualified health professional” means a health care professional who—

(i) has received specialized training or clinical experience in child and adolescent mental health in psychiatry, psychology, school psychology, behavioral pediatrics, psychiatric nursing, social work, school social work, substance abuse disorder prevention and treatment, marriage and family therapy, school counseling, or professional counseling;

(ii) has a license or certification in a State to practice allopathic medicine, osteopathic medicine, psychology, school psychology, psychiatric nursing, social work, school social work, marriage and family therapy, school counseling, or professional counseling; or

(iii) is a mental health service professional who completed (but not before the end of the calendar year in which this section is enacted) specialized training or clinical experience in child and adolescent mental health described in clause (i).

(2) Additional eligibility requirements

The Secretary may not enter into a contract under this subsection with an eligible individual unless—

(A) the individual agrees to work in, or for a provider serving, a health professional shortage area or medically underserved area, or to serve a medically underserved population;

(B) the individual is a United States citizen or a permanent legal United States resident; and

(C) if the individual is enrolled in a graduate program, the program is accredited, and the individual has an acceptable level of academic standing (as determined by the Secretary).

(d) Priority

In entering into contracts under this subsection, the Secretary shall give priority to applicants who—

(1) are or will be working in a school or other pre-kindergarten, elementary, or secondary education setting;

(2) have familiarity with evidence-based methods and cultural and linguistic competence health care services; and

(3) demonstrate financial need.

(e) Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary for each of fiscal years 2021 through 2025.

(July 1, 1944, ch. 373, title VII, § 775, as added Pub. L. 111-148, title V, § 5203, Mar. 23, 2010, 124 Stat. 607; amended Pub. L. 116-136, div. A, title III, § 3401(13), Mar. 27, 2020, 134 Stat. 387.)

Editorial Notes

REFERENCES IN TEXT

The calendar year in which this section is enacted, referred to in subsec. (c)(1)(A)(ii), (B)(iii), probably means the calendar year in which Pub. L. 111-148 was enacted. Such Act was approved Mar. 23, 2010.

PRIOR PROVISIONS

A prior section 295f, act July 1, 1944, ch. 373, title VII, § 770, as added Oct. 22, 1965, Pub. L. 89-290, § 2(a), 79 Stat. 1052; amended Aug. 16, 1968, Pub. L. 90-490, title I, § 111(a), 82 Stat. 774; Nov. 18, 1971, Pub. L. 92-157, title I, § 104(a), 85 Stat. 437; Oct. 12, 1976, Pub. L. 94-484, title I, § 101(k), title V, § 501(a)-(c), 90 Stat. 2245, 2290, 2291; Aug. 13, 1981, Pub. L. 97-35, title XXVII, § 2746(a)(1), 95 Stat. 927; Oct. 22, 1985, Pub. L. 99-129, title II, § 211(a)(1), 99 Stat. 537; Nov. 4, 1988, Pub. L. 100-607, title VI, § 606(a), 102 Stat. 3127, related to capitation grants for schools of public health, prior to repeal by act July 1, 1944, ch. 373, title VII, § 773, as added Nov. 4, 1988, Pub. L. 100-607, title VI, § 606(b), 102 Stat. 3127, effective Oct. 1, 1990.

A prior section 775 of act July 1, 1944, was renumbered section 772 by Pub. L. 94-484, and was classified to section 295f-2 of this title prior to repeal by act July 1, 1944, ch. 373, title VII, § 773, as added Nov. 4, 1988, Pub. L. 100-607, title VI, § 606(b), 102 Stat. 3127.

AMENDMENTS

2020—Subsec. (e). Pub. L. 116-136 substituted “such sums as may be necessary for each of fiscal years 2021 through 2025.” for “\$30,000,000 for each of fiscal years 2010 through 2014 to carry out subsection (c)(1)(A) and \$20,000,000 for each of fiscal years 2010 through 2013 to carry out subsection (c)(1)(B).”

§ 295f-1. Public Health Workforce Loan Repayment Program

(a) Establishment

The Secretary shall establish the Public Health Workforce Loan Repayment Program (referred to in this section as the “Program”) to assure an adequate supply of, and encourage recruitment and retention of, public health professionals to eliminate critical public health workforce shortages in State, local, and Tribal public health agencies.

(b) Eligibility

To be eligible to participate in the Program, an individual shall—

(1)(A)(i) be accepted for enrollment, or be enrolled, as a student in an accredited institution of higher education or school of public health in the final semester (or equivalent) of a program leading to a certificate or degree, including a master’s or doctoral degree, in public health, epidemiology, laboratory sciences, data systems, data science, data analytics, informatics, statistics, or another subject matter related to public health; and

(ii) be employed by, or have accepted employment with, a State, local, or Tribal public health agency, or a related training fellowship at such State, local, or Tribal public health agency, as recognized by the Secretary, to commence upon graduation; or

(B)(i) have graduated, during the preceding 10-year period, from an accredited institution of higher education or school of public health and received a certificate or degree, including a master’s or doctoral degree, in public health, epidemiology, laboratory sciences, data systems, data science, data analytics,

informatics, statistics, or another subject matter related to public health; and

(ii) be employed by, or have accepted employment with, a State, local, or Tribal public health agency or a related training fellowship at such State, local, or Tribal public health agency, as recognized by the Secretary;

(2) be a United States citizen; and

(3)(A) submit an application to the Secretary to participate in the Program;

(B) execute a written contract as required in subsection (c); and

(4) not have received, for the same service, a reduction of loan obligations under section 1087e(m), 1078-10, 1078-11, 1078-12, or 1087j of title 20.

(c) Contract

The written contract (referred to in this section as the “written contract”) between the Secretary and an individual shall contain—

(1) an agreement on the part of the Secretary that the Secretary will repay on behalf of the individual loans incurred by the individual in the pursuit of the relevant degree or certificate in accordance with the terms of the contract;

(2) an agreement on the part of the individual that the individual will serve in the full-time employment of a State, local, or Tribal public health agency or a related fellowship program in a position related to the course of study or program for which the contract was awarded for a period of time (referred to in this section as the “period of obligated service”) of at least 3 consecutive years;

(3) an agreement, as appropriate, on the part of the individual to relocate to a priority service area (as determined by the Secretary) in exchange for an additional loan repayment incentive amount to be determined by the Secretary;

(4) a provision that any financial obligation of the United States arising out of a contract entered into under this section and any obligation of the individual that is conditioned thereon, is contingent on funds being appropriated for loan repayments under this section;

(5) a statement of the damages to which the United States is entitled,¹ under this section for the individual’s breach of the contract; and

(6) such other statements of the rights and liabilities of the Secretary and of the individual, not inconsistent with this section.

(d) Payments

(1) In general

A loan repayment provided for an individual under a written contract under the Program shall consist of payment, in accordance with paragraph (2), for the individual toward the outstanding principal and interest on education loans incurred by the individual in the pursuit of the relevant degree or certificate described in subsection (b)(1) in accordance with the terms of the contract.

¹ So in original. The comma probably should not appear.

(2) Payments for years served

(A) In general

For each year of obligated service that an individual contracts to serve under subsection (c) the Secretary may pay up to \$50,000 on behalf of the individual for loans described in paragraph (1). With respect to participants under the Program whose total eligible loans are less than \$150,000, the Secretary shall pay an amount that does not exceed $\frac{1}{3}$ of the eligible loan balance for each year of obligated service of the individual.

(B) Considerations

The Secretary may take action in making awards under this section to ensure that—

(i) an appropriate proportion of contracts are awarded to individuals who are eligible to participate in the program pursuant to subsection (b)(1)(A); and

(ii) contracts awarded under this section are equitably distributed among—

(I) the geographical regions of the United States;

(II) local, State, and Tribal public health departments; and

(III) such public health departments under subclause (II) serving rural and urban areas.

(3) Tax liability

For the purpose of providing reimbursements for tax liability resulting from payments under paragraph (2) on behalf of an individual, the Secretary shall, in addition to such payments, make payments to the individual in an amount not to exceed 39 percent of the total amount of loan repayments made for the taxable year involved.

(e) Postponing obligated service

With respect to an individual with a contract to serve under subsection (c), the date of the initiation of the period of obligated service may be postponed as approved by the Secretary.

(f) Breach of contract

An individual who fails to comply with the contract entered into under subsection (c) shall be subject to the same financial penalties as provided for under section 254o of this title for breaches of loan repayment contracts under section 254l-1 of this title. In the event that a participant fails to either begin or complete the obligated service requirement of the loan repayment contract under this section, the Secretary may waive or suspend either the unfulfilled service or the assessed damages as provided for under section 254o(d) of this title, as appropriate.

(g) Eligible loans

The loans eligible for repayment under this section are each of the following:

(1) Any loan for education or training for employment by a health department.

(2) Any loan under part E of subchapter VI (relating to nursing student loans).

(3) Any Federal Direct Stafford Loan, Federal Direct PLUS Loan, Federal Direct Unsubsidized Stafford Loan, or Federal Direct Consolidation Loan (as such terms are used in sec-

tion 455 of the Higher Education Act of 1965 [20 U.S.C. 1087e]).

(4) Any Federal Perkins Loan under part E of title I² of the Higher Education Act of 1965.

(5) Any other Federal loan, as the Secretary determines appropriate.

(h) Pilot program

(1) In general

The Secretary shall, as appropriate, establish a pilot program, to be known as the Bio-Preparedness Workforce Pilot Program, to provide for loan repayment for health professionals with expertise in infectious diseases and emergency preparedness and response activities to ensure an adequate supply of such professionals. Such program shall be administered consistent with the requirements of this section, except that, to be eligible to participate in the pilot program, an individual shall—

(A)(i) be accepted for enrollment, or be enrolled, as a student in an accredited institution of higher education in the final semester (or equivalent) of a program leading to a health professions degree or certificate program relevant to such program; or

(ii) have graduated, during the preceding 10-year period, from an accredited institution of higher education with a health professions degree or certificate program relevant to such program; and

(B) be employed by, or have accepted employment with—

(i) a Federal health care facility;

(ii) a nonprofit health care facility that is located in a health professional shortage area (as defined in section 254e of this title), a frontier health professional shortage area (as defined in section 295p of this title), or a medically underserved community (as defined in section 295p of this title);

(iii) an entity receiving assistance under subchapter XXIV for the provision of clinical services;

(iv) a health program, or a facility, operated by an Indian Tribe or Tribal organization (as those terms are defined in section 5304 of title 25) or by an urban Indian organization (as defined in section 1603 of title 25); or

(v) another relevant entity determined appropriate by the Secretary, as a health professional with expertise in infectious diseases or emergency preparedness and response.

(2) Non-duplication of effort

The Secretary shall ensure that the pilot program established under paragraph (1) does not unnecessarily duplicate the National Health Service Corps Loan Repayment Program, or any other loan repayment program operated by the Department of Health and Human Services.

(3) Evaluation and report to Congress

(A) In general

The Secretary shall evaluate the pilot program at the conclusion of the first cycle of recipients funded by the pilot program.

(B) Report

(i) In general

The Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the evaluation under subparagraph (A). The report shall include, at a minimum, outcomes information from the pilot program, including any impact on recruitment and retention of health professionals with expertise in infectious diseases and emergency preparedness and response activities.

(ii) Recommendation

The report under this subparagraph shall include a recommendation by the Secretary as to whether the pilot program under this subsection should be extended.

(i) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2023 through 2025.

(July 1, 1944, ch. 373, title VII, §776, as added Pub. L. 111-148, title V, §5204, Mar. 23, 2010, 124 Stat. 609; amended Pub. L. 117-328, div. FF, title II, §2221(a), Dec. 29, 2022, 136 Stat. 5741.)

Editorial Notes

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (g)(4), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Part E of title IV of the Act, which relates to Federal Perkins Loans, is classified to part E (§1087aa et seq.) of subchapter IV of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see section 1 of Pub. L. 89-329, set out as a Short Title note under section 1001 of Title 20 and Tables.

PRIOR PROVISIONS

A prior section 295f-1, act July 1, 1944, ch. 373, title VII, §771, as added Oct. 12, 1976, Pub. L. 94-484, title V, §502, 90 Stat. 2293; amended Aug. 1, 1977, Pub. L. 95-83, title III, §307(i), 91 Stat. 391; Dec. 19, 1977, Pub. L. 95-215, §§1(a), 2, 91 Stat. 1503, 1504; Nov. 9, 1978, Pub. L. 95-623, §§11(g), 12(d), 92 Stat. 3456, 3457; Sept. 29, 1979, Pub. L. 96-76, title II, §207, 93 Stat. 583; Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(a)(2), 95 Stat. 927; Oct. 22, 1985, Pub. L. 99-129, title II, §211(b), 99 Stat. 539, related to eligibility for capitation grants, prior to repeal by act July 1, 1944, ch. 373, title VII, §773, as added Nov. 4, 1988, Pub. L. 100-607, title VI, §606(b), 102 Stat. 3127, effective Oct. 1, 1990.

Another prior section 295f-1, act July 1, 1944, ch. 373, title VII, §771, as added Oct. 22, 1965, Pub. L. 89-290, §2(a), 79 Stat. 1052; amended Aug. 16, 1968, Pub. L. 90-490, title I, §111(a), 82 Stat. 775; Nov. 2, 1970, Pub. L. 91-519, title I, §101(a), 84 Stat. 1343; Nov. 18, 1971, Pub. L. 92-157, title I, §104(a), 85 Stat. 443; Oct. 12, 1976, Pub. L. 94-484, title I, §101(l), 90 Stat. 2245, authorized start-up assistance, prior to repeal by Pub. L. 94-484, title V, §502, Oct. 12, 1976, 90 Stat. 2293, effective with respect to fiscal years beginning after Sept. 30, 1977.

A prior section 776 of act July 1, 1944, was renumbered section 2692 and is classified to section 300ff-111 of this title.

² So in original. Probably should be “part E of title IV”.

Another prior section 776 of act July 1, 1944, was renumbered section 789, and was classified to section 295g-9 of this title prior to repeal by Pub. L. 99-129, title II, § 220(g), Oct. 22, 1985, 99 Stat. 544.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117-328, § 2221(a)(10), substituted “Tribal” for “tribal”.

Pub. L. 117-328, § 2221(a)(1), substituted “supply of, and encourage recruitment and retention of,” for “supply of” and struck out “Federal,” before “State.”

Subsec. (b)(1)(A). Pub. L. 117-328, § 2221(a)(2)(A), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “be accepted for enrollment, or be enrolled, as a student in an accredited academic educational institution in a State or territory in the final year of a course of study or program leading to a public health or health professions degree or certificate; and have accepted employment with a Federal, State, local, or tribal public health agency, or a related training fellowship, as recognized by the Secretary, to commence upon graduation.”

Subsec. (b)(1)(B)(i). Pub. L. 117-328, § 2221(a)(2)(B)(i), substituted “accredited institution of higher education or school of public health” for “accredited educational institution in a State or territory” and “a certificate or degree, including a master’s or doctoral degree, in public health, epidemiology, laboratory sciences, data systems, data science, data analytics, informatics, statistics, or another subject matter related to public health” for “a public health or health professions degree or certificate”.

Subsec. (b)(1)(B)(ii). Pub. L. 117-328, § 2221(a)(10), substituted “Tribal public health agency or” for “tribal public health agency or”.

Pub. L. 117-328, § 2221(a)(2)(B)(ii), struck out “Federal,” before “State,” and substituted “fellowship at such State, local, or Tribal public health agency,” for “fellowship.”

Subsec. (c)(2). Pub. L. 117-328, § 2221(a)(10), substituted “Tribal” for “tribal”.

Pub. L. 117-328, § 2221(a)(3), struck out “Federal,” before “State,” and substituted “of at least 3 consecutive years;” for “equal to the greater of—

“(A) 3 years; or

“(B) such longer period of time as determined appropriate by the Secretary and the individual;”.

Subsec. (d)(1). Pub. L. 117-328, § 2221(a)(4)(A), amended par. (1) generally. Prior to amendment, text read as follows: “A loan repayment provided for an individual under a written contract under the Program shall consist of payment, in accordance with paragraph (2), on behalf of the individual of the principal, interest, and related expenses on government and commercial loans received by the individual regarding the undergraduate or graduate education of the individual (or both), which loans were made for tuition expenses incurred by the individual.”

Subsec. (d)(2). Pub. L. 117-328, § 2221(a)(4)(B), designated existing provisions as subpar. (A) and inserted heading, substituted “\$50,000” for “\$35,000” and “\$150,000” for “\$105,000”, and added subpar. (B).

Subsec. (e). Pub. L. 117-328, § 2221(a)(5), substituted “with a contract to serve under subsection (c)” for “receiving a degree or certificate from a health professions or other related school”.

Subsec. (f). Pub. L. 117-328, § 2221(a)(6), inserted at end “In the event that a participant fails to either begin or complete the obligated service requirement of the loan repayment contract under this section, the Secretary may waive or suspend either the unfulfilled service or the assessed damages as provided for under section 254o(d) of this title, as appropriate.”

Subsecs. (g), (h). Pub. L. 117-328, § 2221(a)(8), added subsecs. (g) and (h). Former subsec. (g) redesignated (i).

Subsec. (i). Pub. L. 117-328, § 2221(a)(7), (9), redesignated subsec. (g) as (i) and substituted “\$100,000,000 for each of fiscal years 2023 through 2025” for “\$195,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 through 2015”.

§ 295f-2. Training for mid-career public and allied health professionals

(a) In general

The Secretary may make grants to, or enter into contracts with, any eligible entity to award scholarships to eligible individuals to enroll in degree or professional training programs for the purpose of enabling mid-career professionals in the public health and allied health workforce to receive additional training in the field of public health and allied health.

(b) Eligibility

(1) Eligible entity

The term “eligible entity” indicates an accredited educational institution that offers a course of study, certificate program, or professional training program in public or allied health or a related discipline, as determined by the Secretary¹

(2) Eligible individuals

The term “eligible individuals” includes those individuals employed in public and allied health positions at the Federal, State, tribal, or local level who are interested in retaining or upgrading their education.

(c) Authorization of appropriations

There is authorized to be appropriated to carry out this section, \$60,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2015. Fifty percent of appropriated funds shall be allotted to public health mid-career professionals and 50 percent shall be allotted to allied health mid-career professionals.

(July 1, 1944, ch. 373, title VII, § 777, as added Pub. L. 111-148, title V, § 5206(b), Mar. 23, 2010, 124 Stat. 612.)

Editorial Notes

PRIOR PROVISIONS

A prior section 295f-2, act July 1, 1944, ch. 373, title VII, § 772, formerly § 775, as added Nov. 18, 1971, Pub. L. 92-157, title I, § 104(a), 85 Stat. 448; renumbered § 772 and amended Oct. 12, 1976, Pub. L. 94-484, title V, § 503(a), 90 Stat. 2300; Dec. 19, 1977, Pub. L. 95-215, §§ 1(b), 8(c), 91 Stat. 1504, 1507; Nov. 9, 1978, Pub. L. 95-623, § 12(j), 92 Stat. 3457; Oct. 22, 1985, Pub. L. 99-129, title II, § 211(c), 99 Stat. 539, related to applications for capitation grants, prior to repeal by act July 1, 1944, ch. 373, title VII, § 773, as added Nov. 4, 1988, Pub. L. 100-607, title VI, § 606(b), 102 Stat. 3127, effective Oct. 1, 1990.

Another prior section 295f-2, act July 1, 1944, ch. 373, title VII, § 772, as added Oct. 22, 1965, Pub. L. 89-290, § 2(a), 79 Stat. 1053; amended Aug. 16, 1968, Pub. L. 90-490, title I, § 111(a), (e), 82 Stat. 776, 777; Nov. 2, 1970, Pub. L. 91-519, title I, § 102(a), 84 Stat. 1343; Nov. 18, 1971, Pub. L. 92-157, title I, § 104(a), 85 Stat. 444; Nov. 16, 1973, Pub. L. 93-154, § 3(b), 87 Stat. 604; July 12, 1974, Pub. L. 93-348, title II, § 215, 88 Stat. 354; Oct. 12, 1976, Pub. L. 94-484, title I, § 101(m), 90 Stat. 2245, provided special project grants and contracts, prior to repeal by Pub. L. 94-484, title V, § 502, Oct. 12, 1976, 90 Stat. 2293, effective with respect to fiscal years beginning after Sept. 30, 1977.

A prior section 777 of act July 1, 1944, was classified to section 294o of this title prior to the general amendment of this part by Pub. L. 105-392.

¹ So in original. Probably should be followed by a period.