

### § 296m. Workforce diversity grants

#### (a) In general

##### (1)<sup>1</sup> Authority

The Secretary may award grants to and enter into contracts with eligible entities to meet the costs of special projects to increase nursing education opportunities for individuals who are from disadvantaged backgrounds (including racial and ethnic minorities underrepresented among registered nurses) by providing student scholarships or stipends, stipends for diploma or associate degree nurses to enter a bridge or degree completion program, student scholarships or stipends for accelerated nursing degree programs, pre-entry preparation, advanced education preparation, and retention activities.

#### (b) Guidance

In carrying out subsection (a), the Secretary shall take into consideration the recommendations of the National Advisory Council on Nurse Education and Practice and consult with nursing associations including the National Coalition of Ethnic Minority Nurse Associations, American<sup>2</sup> Nurses Association, the National League for Nursing, the American Association of Colleges of Nursing, the National Black Nurses Association, the National Association of Hispanic Nurses, the Association of Asian American and Pacific Islander Nurses, the Native American Indian and Alaskan Nurses Association, and the National Council of State Boards of Nursing, and other organizations determined appropriate by the Secretary.

#### (c) Required information and conditions for award recipients

##### (1) In general

Recipients of awards under this section may be required, where requested, to report to the Secretary concerning the annual admission, retention, and graduation rates for individuals from disadvantaged backgrounds and ethnic and racial minorities in the school or schools involved in the projects.

##### (2) Falling rates

If any of the rates reported under paragraph (1) fall below the average of the two previous years, the grant or contract recipient shall provide the Secretary with plans for immediately improving such rates.

##### (3) Ineligibility

A recipient described in paragraph (2) shall be ineligible for continued funding under this section if the plan of the recipient fails to improve the rates within the 1-year period beginning on the date such plan is implemented.

(July 1, 1944, ch. 373, title VIII, § 821, as added Pub. L. 105-392, title I, § 123(4), Nov. 13, 1998, 112 Stat. 3568; amended Pub. L. 111-148, title V, § 5404, Mar. 23, 2010, 124 Stat. 649.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 296m, act July 1, 1944, ch. 373, title VIII, § 822, as added Pub. L. 94-63, title IX, § 931(a), July

29, 1975, 89 Stat. 361; amended Pub. L. 95-83, title III, § 307(o)(5)(A), Aug. 1, 1977, 91 Stat. 393; Pub. L. 96-76, title I, § 107, Sept. 29, 1979, 93 Stat. 579; Pub. L. 97-35, title XXVII, § 2755, Aug. 13, 1981, 95 Stat. 930; Pub. L. 99-92, § 5, Aug. 16, 1985, 99 Stat. 394; Pub. L. 99-129, title II, § 227(c), Oct. 22, 1985, 99 Stat. 548; Pub. L. 100-607, title VII, § 703, Nov. 4, 1988, 102 Stat. 3157; Pub. L. 101-93, § 5(q), Aug. 16, 1989, 103 Stat. 614; Pub. L. 101-597, title IV, § 401(b)(a), Nov. 16, 1990, 104 Stat. 3035; Pub. L. 102-408, title II, § 204, Oct. 13, 1992, 106 Stat. 2072, authorized grants and contracts for nurse practitioner and nurse midwife programs, prior to repeal by Pub. L. 105-392, title I, § 123(1), Nov. 13, 1998, 112 Stat. 3562.

A prior section 821 of act July 1, 1944, was classified to section 296l of this title prior to repeal by Pub. L. 105-392.

#### AMENDMENTS

2010—Subsec. (a). Pub. L. 111-148, § 5404(1), designated existing provisions as par. (1), inserted heading, and substituted “stipends for diploma or associate degree nurses to enter a bridge or degree completion program, student scholarships or stipends for accelerated nursing degree programs, pre-entry preparation, advanced education preparation, and retention activities” for “pre-entry preparation, and retention activities”.

Subsec. (b). Pub. L. 111-148, § 5404(2), substituted “National Advisory Council on Nurse Education and Practice and consult with nursing associations including the National Coalition of Ethnic Minority Nurse Associations,” for “First, Second and Third Invitational Congresses for Minority Nurse Leaders on ‘Caring for the Emerging Majority,’ in 1992, 1993 and 1997, and consult with nursing associations including the” and inserted “, and other organizations determined appropriate by the Secretary” before period at end.

#### PART D—STRENGTHENING CAPACITY FOR BASIC NURSE EDUCATION AND PRACTICE

#### Editorial Notes

##### PRIOR PROVISIONS

A prior part D related to scholarship grants to schools of nursing and consisted of sections 298c to 298c-8, prior to the general amendment of this subchapter by Pub. L. 105-392.

### § 296p. Nurse education, practice, quality, and retention grants

#### (a) Education priority areas

The Secretary may award grants to or enter into contracts with eligible entities for—

- (1) expanding the enrollment in baccalaureate nursing programs; or
- (2) providing education in new technologies, including distance learning methodologies.

#### (b) Practice priority areas

The Secretary may award grants to or enter into contracts with eligible entities for—

- (1) establishing or expanding nursing practice arrangements in noninstitutional settings to demonstrate methods to improve access to primary health care in medically underserved communities;
- (2) providing care for underserved populations and high risk groups, such as the elderly, individuals with HIV/AIDS, individuals with mental health or substance use disorders, individuals who are homeless, and survivors of domestic violence;
- (3) providing coordinated care, and other skills needed to practice in existing and emerging organized health care systems; or

<sup>1</sup> So in original. No par. (2) has been enacted.

<sup>2</sup> So in original. Probably should be preceded by “the”.

(4) developing cultural competencies among nurses.

**(c) Retention priority areas**

The Secretary may award grants to and enter into contracts with eligible entities to enhance the nursing workforce by initiating and maintaining nurse retention programs pursuant to paragraph (1) or (2).

**(1) Grants for career ladder programs**

The Secretary may award grants to and enter into contracts with eligible entities for programs—

(A) to promote career advancement for—

(i) nursing in a variety of training settings, cross training or specialty training among diverse population groups, and the advancement of individuals including to become professional registered nurses, advanced practice registered nurses, and nurses with graduate nursing education; and

(ii) individuals including licensed practical nurses, licensed vocational nurses, certified nurse assistants, home health aides, diploma degree or associate degree nurses, and other health professionals, such as health aides or community health practitioners certified under the Community Health Aide Program of the Indian Health Service, to become registered nurses with baccalaureate degrees or nurses with graduate nursing education;

(B) to assist individuals in obtaining education and training required to enter the nursing profession and advance within such profession, such as by providing career counseling and mentoring; and

(C) developing and implementing internships, accredited fellowships, and accredited residency programs in collaboration with one or more accredited schools of nursing, to encourage the mentoring and development of specialties.

**(2) Enhancing patient care delivery systems**

**(A) Grants**

The Secretary may award grants to eligible entities to improve the retention of nurses and enhance patient care that is directly related to nursing activities by enhancing collaboration and communication among nurses and other health care professionals, and by promoting nurse involvement in the organizational and clinical decisionmaking processes of a health care facility.

**(B) Preference**

In making awards of grants under this paragraph, the Secretary shall give a preference to applicants that have not previously received an award under this paragraph.

**(C) Continuation of an award**

The Secretary shall make continuation of any award under this paragraph beyond the second year of such award contingent on the recipient of such award having demonstrated to the Secretary measurable and substantive

improvement in nurse retention or patient care.

**(d) Other priority areas**

The Secretary may award grants to or enter into contracts with eligible entities to address other areas that are of high priority to nurse education, practice, and retention, as determined by the Secretary.

**(e) Report**

As part of the report on nursing workforce programs described in section 296e(i) of this title, the Secretary shall include a report on the grants awarded and the contracts entered into under this section. Each such report shall identify the overall number of such grants and contracts and provide an explanation of why each such grant or contract will meet the priority need of the nursing workforce.

**(f) Eligible entity**

For purposes of this section, the term “eligible entity” includes an accredited school of nursing, as defined in section 296(2) of this title, a health care facility, including federally qualified health centers or nurse-managed health clinics, or a partnership of such a school and facility a health care facility, or a partnership of such a school and facility.<sup>1</sup>

(July 1, 1944, ch. 373, title VIII, §831, as added Pub. L. 105-392, title I, §123(4), Nov. 13, 1998, 112 Stat. 3568; amended Pub. L. 107-205, title II, §201, Aug. 1, 2002, 116 Stat. 815; Pub. L. 111-148, title V, §5309(a), Mar. 23, 2010, 124 Stat. 629; Pub. L. 116-136, div. A, title III, §3404(a)(6), Mar. 27, 2020, 134 Stat. 393.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 831 of act July 1, 1944, was classified to section 297-1 of this title prior to repeal by Pub. L. 105-392.

**AMENDMENTS**

2020—Pub. L. 116-136, §3404(a)(6)(A), substituted “quality, and retention grants” for “and quality grants” in section catchline.

Subsec. (b)(2). Pub. L. 116-136, §3404(a)(6)(B), substituted “high risk groups, such as the elderly, individuals with HIV/AIDS, individuals with mental health or substance use disorders, individuals who are homeless, and survivors” for “other high-risk groups such as the elderly, individuals with HIV/AIDS, substance abusers, the homeless, and victims”.

Subsec. (c)(1)(A). Pub. L. 116-136, §3404(a)(6)(C)(i)(I), substituted “advancement for—” for “advancement for nursing personnel” and inserted “(i) nursing” before “in a variety”.

Subsec. (c)(1)(A)(i). Pub. L. 116-136, §3404(a)(6)(C)(i)(II), substituted “professional registered nurses, advanced practice registered nurses, and nurses with graduate nursing education” for “professional nurses, advanced education nurses, licensed practical nurses, certified nurse assistants, and home health aides”.

Subsec. (c)(1)(A)(ii). Pub. L. 116-136, §3404(a)(6)(C)(i)(III), added cl. (ii).

Subsec. (c)(1)(C). Pub. L. 116-136, §3404(a)(6)(C)(ii), added subpar. (C).

Subsec. (e). Pub. L. 116-136, §3404(a)(6)(F), substituted “As part of the report on nursing workforce programs

<sup>1</sup> So in original.

described in section 296e(i) of this title, the Secretary shall include” for “The Secretary shall submit to the Congress before the end of each fiscal year”.

Pub. L. 116-136, §3404(a)(6)(D), (E), redesignated subsec. (f) as (e) and struck out former subsec. (e). Prior to amendment, text of subsec. (e) read as follows: “For purposes of any amount of funds appropriated to carry out this section for fiscal year 2003, 2004, or 2005 that is in excess of the amount of funds appropriated to carry out this section for fiscal year 2002, the Secretary shall give preference to awarding grants or entering into contracts under subsections (a)(2) and (c).”

Subsec. (f). Pub. L. 116-136, §3404(a)(6)(G), substituted “an accredited school of nursing, as defined in section 296(2) of this title, a health care facility, including federally qualified health centers or nurse-managed health clinics, or a partnership of such a school and facility” for “a school of nursing, as defined in section 296(2) of this title.”

Pub. L. 116-136, §3404(a)(6)(E), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

Subsec. (g). Pub. L. 116-136, §3404(a)(6)(E), redesignated subsec. (g) as (f).

Subsec. (h). Pub. L. 116-136, §3404(a)(6)(D), struck out subsec. (h). Text read as follows: “There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.”

2010—Pub. L. 111-148, §5309(a)(1), substituted “quality” for “retention” in section catchline.

Subsec. (a). Pub. L. 111-148, §5309(a)(2), in par. (1), inserted “or” at end, redesignated par. (3) as (2), and struck out former par. (2) which read as follows: “developing and implementing internship and residency programs to encourage mentoring and the development of specialties; or”.

Subsec. (b)(3). Pub. L. 111-148, §5309(a)(3), substituted “coordinated care” for “managed care, quality improvement”.

Subsec. (g). Pub. L. 111-148, §5309(a)(4), inserted “, as defined in section 296(2) of this title,” after “school of nursing”.

Subsec. (h). Pub. L. 111-148, §5309(a)(5), substituted “2010 through 2014” for “2003 through 2007”.

2002—Pub. L. 107-205 amended section catchline and text generally. Prior to amendment, text read as follows:

“(a) IN GENERAL.—The Secretary may award grants to and enter into contracts with eligible entities for projects to strengthen capacity for basic nurse education and practice.

“(b) PRIORITY AREAS.—In awarding grants or contracts under this section the Secretary shall give priority to entities that will use amounts provided under such a grant or contract to enhance the educational mix and utilization of the basic nursing workforce by strengthening programs that provide basic nurse education, such as through—

“(1) establishing or expanding nursing practice arrangements in noninstitutional settings to demonstrate methods to improve access to primary health care in medically underserved communities;

“(2) providing care for underserved populations and other high-risk groups such as the elderly, individuals with HIV-AIDS, substance abusers, the homeless, and victims of domestic violence;

“(3) providing managed care, quality improvement, and other skills needed to practice in existing and emerging organized health care systems;

“(4) developing cultural competencies among nurses;

“(5) expanding the enrollment in baccalaureate nursing programs;

“(6) promoting career mobility for nursing personnel in a variety of training settings and cross training or specialty training among diverse population groups;

“(7) providing education in informatics, including distance learning methodologies; or

“(8) other priority areas as determined by the Secretary.”

### § 296p-1. Repealed. Pub. L. 116-136, div. A, title III, § 3404(a)(7), Mar. 27, 2020, 134 Stat. 394

Section, act July 1, 1944, ch. 373, title VIII, §831A, as added Pub. L. 111-148, title V, §5309(b), Mar. 23, 2010, 124 Stat. 630, authorized the Secretary to award nurse retention grants to eligible entities.

Prior sections 296r, 297, and 297-1 were repealed by Pub. L. 105-392, title I, §123(1), Nov. 13, 1998, 112 Stat. 3562.

Section 296r, act July 1, 1944, ch. 373, title VIII, §827, as added Pub. L. 100-607, title VII, §701(a)(3), Nov. 4, 1988, 102 Stat. 3153; amended Pub. L. 102-408, title II, §205, Oct. 13, 1992, 106 Stat. 2073, authorized grants and contracts for special projects to increase nursing education opportunities for individuals from disadvantaged backgrounds.

Section 297, act July 1, 1944, ch. 373, title VIII, §830, formerly §821, as added Pub. L. 88-581, §2, Sept. 4, 1964, 78 Stat. 913; amended Pub. L. 90-490, title II, §221, Aug. 16, 1968, 82 Stat. 783; Pub. L. 92-52, §5, July 9, 1971, 85 Stat. 145; Pub. L. 92-158, §§5, 13, Nov. 18, 1971, 85 Stat. 475, 480; renumbered §830 and amended Pub. L. 94-63, title IX, §§935, 941(g)(2), July 29, 1975, 89 Stat. 362, 365; Pub. L. 94-484, title IX, §901, Oct. 12, 1976, 90 Stat. 2323; Pub. L. 95-83, title III, §307(o)(5)(B), Aug. 1, 1977, 91 Stat. 394; Pub. L. 96-76, title I, §108, Sept. 29, 1979, 93 Stat. 579; Pub. L. 97-35, title XXVII, §2756, Aug. 13, 1981, 95 Stat. 931; Pub. L. 99-92, §6, Aug. 16, 1985, 99 Stat. 395; Pub. L. 100-607, title VII, §711, Nov. 4, 1988, 102 Stat. 3159; Pub. L. 102-408, title II, §206, Oct. 13, 1992, 106 Stat. 2073; Pub. L. 103-43, title XX, §2014(f), June 10, 1993, 107 Stat. 217, authorized grants for traineeships for advanced education of professional nurses.

Section 297-1, act July 1, 1944, ch. 373, title VIII, §831, as added Pub. L. 96-76, title I, §111, Sept. 29, 1979, 93 Stat. 580; amended Pub. L. 97-414, §8(i), Jan. 4, 1983, 96 Stat. 2061; Pub. L. 99-92, §7, Aug. 16, 1985, 99 Stat. 396; Pub. L. 100-607, title VII, §712, Nov. 4, 1988, 102 Stat. 3160; Pub. L. 102-408, title II, §207, Oct. 13, 1992, 106 Stat. 2074, authorized grants for training of nurse anesthetists.

## PART E—STUDENT LOANS

### Editorial Notes

#### CODIFICATION

Pub. L. 105-392, title I, §123(2), Nov. 13, 1998, 112 Stat. 3562, redesignated subpart II of part B as part E.

Pub. L. 94-63, title IX, §941(g)(3), July 29, 1975, 89 Stat. 365, inserted subpart II heading.

### § 297a. Student loan fund

#### (a) Agreements to establish and operate fund authorized

The Secretary is authorized to enter into an agreement for the establishment and operation of a student loan fund in accordance with this part with any public or nonprofit private school of nursing which is located in a State.

#### (b) Provisions of agreements

Each agreement entered into under this section shall—

(1) provide for establishment of a student loan fund by the school;

(2) provide for deposit in the fund, except as provided in section 298d of this title, of (A) the Federal capital contributions paid from allotments under section 297d of this title to the school by the Secretary, (B) an additional amount from other sources equal to not less than one-ninth of such Federal capital contributions, (C) collections of principal and interest on loans made from the fund, (D) collec-