

Committee Print

[SHOWING THE TEXT OF H.R. 728, AS FAVORABLY FORWARDED BY THE
ENERGY AND COMMERCE SUBCOMMITTEE ON HEALTH ON JULY 11, 2019]

116TH CONGRESS
1ST SESSION

H. R. 728

To amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mr. JOYCE of Ohio (for himself, Ms. GABBARD, Mr. RODNEY DAVIS of Illinois, Ms. BONAMICI, Ms. MATSUI, Ms. CASTOR of Florida, Mr. MCKINLEY, and Ms. UNDERWOOD) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Title VIII Nursing Workforce Reauthorization Act of
4 2019”.

5 (b) TABLE OF CONTENTS.—The table of contents of
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. General provisions.
- Sec. 3. Nurse practitioners, nurse midwives, nurse anesthetists, and other advanced education nurses.
- Sec. 4. Increasing nursing workforce diversity.
- Sec. 5. Strengthening capacity for basic nurse education and practice.
- Sec. 6. Student loans.
- Sec. 7. National Advisory Council on Nurse Education and Practice.
- Sec. 8. Other provisions.

7 **SEC. 2. GENERAL PROVISIONS.**

8 (a) APPLICATION.—Section 802(c) of the Public
9 Health Service Act (42 U.S.C. 296a(c)) is amended by
10 striking “shall address relevant national nursing needs
11 that the project will meet” and inserting “shall address
12 relevant national nursing needs that the project will ad-
13 dress and how the project aligns with the national nursing
14 service goals referred to in section 806(a)”.

15 (b) USE OF FUNDS.—Section 803 of the Public
16 Health Service Act (42 U.S.C. 296b) is amended by add-
17 ing at the end the following:

18 “(c) SUPPLEMENT NOT SUPPLANT.—Funds awarded
19 as a grant under this title for a project or activity shall
20 be used to supplement, not supplant, the non-Federal

1 funds that would otherwise be made available for such
2 project or activity.”.

3 (c) GENERALLY APPLICABLE PROVISIONS.—Section
4 806 of the Public Health Service Act (42 U.S.C. 296e)
5 is amended—

6 (1) in subsection (b), by amending paragraph
7 (2) to read as follows:

8 “(2) EVALUATIONS.—The Secretary shall es-
9 tablish procedures to ensure the annual evaluation of
10 programs and projects operated by recipients of
11 grants under this title. Such procedures shall ensure
12 that continued funding for such programs and
13 projects will be conditioned upon the submission
14 of—

15 “(A) data demonstrating that satisfactory
16 progress has been made by the program or
17 project in meeting the performance outcome
18 standards (as described in section 802) of such
19 program or project; and

20 “(B) a detailed description of activities
21 conducted by such program or project to meet
22 such performance outcome standards.”;

23 (2) in subsection (e)(2), by inserting “, and
24 have relevant expertise and experience” after “who

1 are not officers or employees of the Federal Govern-
2 ment”; and

3 (3) by adding at the end the following:

4 “(i) ANNUAL REPORT ON NURSING WORKFORCE
5 PROGRAMS.—Annually, the Secretary shall submit to the
6 Committee on Health, Education, Labor, and Pensions of
7 the Senate, and the Committee on Energy and Commerce
8 of the House of Representatives, a report containing an
9 assessment of the programs and activities of the Depart-
10 ment of Health and Human Services related to enhancing
11 the nursing workforce, including the extent to which pro-
12 grams and activities under this title meet identified goals
13 and performance measures developed for the respective
14 programs and activities.”.

15 **SEC. 3. NURSE PRACTITIONERS, NURSE MIDWIVES, NURSE**
16 **ANESTHETISTS, AND OTHER ADVANCED EDU-**
17 **CATION NURSES.**

18 Section 811 of the Public Health Service Act (42
19 U.S.C. 296j) is amended—

20 (1) in subsection (b)—

21 (A) by striking “R.N./Master’s” and in-
22 sserting “R.N./graduate”; and

23 (B) by inserting “clinical nurse leaders,”
24 before “or public health nurses”;

1 (2) by redesignating subsections (f) and (g) as
2 subsections (g) and (h), respectively;

3 (3) by inserting after subsection (e) the fol-
4 lowing new subsection:

5 “(f) **AUTHORIZED CLINICAL NURSE SPECIALIST**
6 **PROGRAMS.**—Clinical nurse specialist programs eligible
7 for support under this section are education programs
8 that—

9 “(1) provide registered nurses with full-time
10 clinical nurse specialist education; and

11 “(2) have as their objective the education of
12 clinical nurse specialists who will upon completion of
13 such a program be qualified to effectively provide
14 care through the wellness and illness continuum to
15 inpatients and outpatients experiencing acute and
16 chronic illness.”; and

17 (4) by adding at the end the following:

18 “(i) **AUTHORIZATION OF APPROPRIATIONS.**—There
19 are authorized to be appropriated to carry out this section
20 \$77,585,000 for each of fiscal years 2020 through 2024.”.

21 **SEC. 4. INCREASING NURSING WORKFORCE DIVERSITY.**

22 Section 821 of the Public Health Service Act (42
23 U.S.C. 296m) is amended by adding at the end the fol-
24 lowing:

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$18,037,000 for each of fiscal years 2020 through 2024.”.

4 **SEC. 5. STRENGTHENING CAPACITY FOR BASIC NURSE**
5 **EDUCATION AND PRACTICE.**

6 (a) NURSE EDUCATION, PRACTICE, QUALITY, AND
7 RETENTION GRANTS.—Section 831 of the Public Health
8 Service Act (42 U.S.C. 296p) is amended—

9 (1) in the section heading, by striking “**AND**
10 **QUALITY**” and inserting “**QUALITY, AND RETEN-**
11 **TION**”;

12 (2) in subsection (b), by amending paragraph
13 (2) to read as follows:

14 “(2) providing care for underserved populations
15 and high-risk groups, which may include the elderly,
16 individuals with HIV/AIDS, individuals with mental
17 health or substance use disorders, individuals who
18 are homeless, and victims and survivors of domestic
19 violence;”;

20 (3) in subsection (c), by amending paragraph
21 (1) to read as follows:

22 “(1) GRANTS FOR CAREER LADDER PRO-
23 GRAMS.—The Secretary may award grants to and
24 enter into contracts with eligible entities for pro-
25 grams—

1 “(A) to promote career advancement for—

2 “(i) nursing personnel in a variety of
3 training settings, cross training or spe-
4 cialty training among diverse population
5 groups, and the advancement of individ-
6 uals, including to become professional reg-
7 istered nurses, advanced practice reg-
8 istered nurses, and nurses with graduate
9 nursing education; and

10 “(ii) individuals, including licensed
11 practical nurses, licensed vocational nurses,
12 certified nurse assistants, and diploma de-
13 gree or associate degree nurses, to become
14 baccalaureate-prepared registered nurses
15 or nurses with graduate nursing education;

16 “(B) to assist individuals in obtaining edu-
17 cation and training required to enter the nurs-
18 ing profession and advance within such profes-
19 sion, such as by providing career counseling and
20 mentoring; and

21 “(C) to develop and implement internships,
22 accredited fellowships, and accredited residency
23 programs in collaboration with one or more ac-
24 credited schools of nursing to encourage men-
25 toring and development of specialties.”;

1 (4) by striking subsection (e) (relating to pref-
2 erence);

3 (5) by redesignating subsections (f) through (h)
4 as subsections (e) and (g), respectively;

5 (6) in subsection (e), as so redesignated, by
6 striking “The Secretary shall submit to the Congress
7 before the end of each fiscal year a” and inserting
8 “As part of the report on nursing workforce pro-
9 grams described in section 806(i), the Secretary
10 shall”;

11 (7) by amending subsection (f), as redesignated
12 by paragraph (5), to read as follows:

13 “(f) DEFINITIONS.—For purposes of this section:

14 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
15 tity’ includes an accredited school of nursing, a
16 health care facility, a partnership of such a school
17 and facility, a federally qualified health center, or a
18 nurse-managed health clinic.

19 “(2) NURSE-MANAGED HEALTH CLINIC.—The
20 term ‘nurse-managed health clinic’ means a nurse-
21 practice arrangement, managed by advanced practice
22 nurses, that provides primary care or wellness serv-
23 ices to underserved or vulnerable populations that is
24 associated with a school, college, university or de-
25 partment of nursing, federally qualified health cen-

1 ter, or independent nonprofit health or social serv-
2 ices agency.”; and

3 (8) in subsection (g), as redesignated by para-
4 graph (5), by striking “such sums as may be nec-
5 essary for each of fiscal years 2010 through 2014”
6 and inserting “\$43,590,000 for each of fiscal years
7 2020 through 2024”.

8 (b) NURSE RETENTION GRANTS.—Section 831A of
9 the Public Health Service Act (42 U.S.C. 296p–1) is re-
10 pealed.

11 **SEC. 6. STUDENT LOANS.**

12 (a) LOAN REPAYMENT AND SCHOLARSHIP PRO-
13 GRAMS.—Section 846 of the Public Health Service Act (42
14 U.S.C. 297n) is amended—

15 (1) in subsection (b)(1), by striking “he began
16 such practice” and inserting “the individual began
17 such practice”;

18 (2) in subsection (d)(1), by striking “(for fiscal
19 years 2003 and 2004) and may (for fiscal years
20 thereafter)”;

21 (3) in subsection (h), in the matter preceding
22 paragraph (1), by striking “Not later than” through
23 “regarding” and inserting “The annual report on
24 nursing workforce programs, as required by section
25 806(i), shall include information regarding the pro-

1 grams carried out under this section, including”;
2 and

3 (4) in subsection (i)(1), by striking “such sums
4 as may be necessary for each of fiscal years 2003
5 through 2007” and inserting “\$90,620,000 for each
6 of fiscal years 2020 through 2024”.

7 (b) NURSE FACULTY LOAN PROGRAM.—Section
8 846A of the Public Health Service Act (42 U.S.C. 297n–
9 1) is amended by striking “such sums as may be necessary
10 for each of fiscal years 2010 through 2014” and inserting
11 “\$29,640,000 for each of fiscal years 2020 through
12 2024”.

13 **SEC. 7. NATIONAL ADVISORY COUNCIL ON NURSE EDU-**
14 **CATION AND PRACTICE.**

15 Section 851 of the Public Health Service Act (42
16 U.S.C. 297t) is amended—

17 (1) in subsection (b)(1)(A)(iv), by striking “and
18 nurse anesthetists” and inserting “nurse anes-
19 thetists, and clinical nurse specialists”;

20 (2) in subsection (d), by amending paragraph
21 (3) to read as follows:

22 “(3) not later than 2 years after the date of en-
23 actment of the Title VIII Nursing Workforce Reau-
24 thorization Act of 2019, and every 2 years there-
25 after, prepare and submit to the Secretary, the Com-

1 mittee on Health, Education, Labor, and Pensions
2 of the Senate, and the Committee on Energy and
3 Commerce of the House of Representatives, a report
4 describing the activities of the Council, including
5 findings and recommendations made by the Council
6 concerning the activities under this title.”; and

7 (3) in subsection (g), by striking “under this
8 title” and inserting “for carrying out parts B, C,
9 and D of this title”.

10 **SEC. 8. OTHER PROVISIONS.**

11 (a) **PUBLIC SERVICE ANNOUNCEMENTS.**—Part G of
12 title VIII of the Public Health Service Act (42 U.S.C.
13 297w et seq.) is repealed.

14 (b) **FUNDING.**—Part I of title VIII of the Public
15 Health Service Act (42 U.S.C. 298d) is repealed.

16 (c) **ELIMINATING LIMITATION ON ASSIGNMENT.**—
17 Section 846(a) of the Public Health Service Act (42
18 U.S.C. 297n(a)) is amended, in the matter following para-
19 graph (3), by striking “After fiscal year 2007,” and all
20 that follows through the period at the end.