

Suspend the Rules and Pass the Bill, H.R. 647, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST SESSION

H. R. 647

To amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2019

Mr. ENGEL (for himself, Mr. REED, Ms. CLARKE of New York, Mr. CARTER of Georgia, Mr. PALLONE, and Mr. WALDEN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

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 “Palliative Care and
5 Hospice Education and Training Act”.

6 **SEC. 2. PALLIATIVE CARE AND HOSPICE EDUCATION AND**
7 **TRAINING.**

8 (a) IN GENERAL.—Part D of title VII of the Public
9 Health Service Act (42 U.S.C. 294 et seq.) is amended
10 by inserting after section 759 the following:

11 **“SEC. 759A. PALLIATIVE CARE AND HOSPICE EDUCATION**
12 **AND TRAINING.**

13 “(a) PALLIATIVE CARE AND HOSPICE EDUCATION
14 CENTERS.—

15 “(1) IN GENERAL.—The Secretary shall award
16 grants or contracts under this section to entities de-
17 scribed in paragraph (1), (3), or (4) of section
18 799B, and section 801(2), for the establishment or
19 operation of Palliative Care and Hospice Education
20 Centers that meet the requirements of paragraph
21 (2).

22 “(2) REQUIREMENTS.—A Palliative Care and
23 Hospice Education Center meets the requirements of
24 this paragraph if such Center—

1 “(A) improves the interprofessional team-
2 based training of health professionals in pallia-
3 tive care, including residencies, traineeships, or
4 fellowships;

5 “(B) develops and disseminates inter-
6 professional team-based curricula relating to
7 the palliative treatment of the complex health
8 problems of individuals with serious or life-
9 threatening illnesses;

10 “(C) supports the training and retraining
11 of faculty to provide instruction in interprofes-
12 sional team-based palliative care;

13 “(D) supports interprofessional team-based
14 continuing education of health professionals
15 who provide palliative care to patients with seri-
16 ous or life-threatening illness;

17 “(E) provides students (including resi-
18 dents, trainees, and fellows) with clinical train-
19 ing in interprofessional team-based palliative
20 care in appropriate health settings, including
21 hospitals, hospices, home care, long-term care
22 facilities, and ambulatory care centers;

23 “(F) establishes traineeships for individ-
24 uals who are preparing for advanced education
25 nursing degrees, social work degrees, or ad-

1 vanced degrees in physician assistant studies,
2 with a focus in interprofessional team-based
3 palliative care in appropriate health settings, in-
4 cluding hospitals, hospices, home care, long-
5 term care facilities, and ambulatory care cen-
6 ters;

7 “(G) supports collaboration between mul-
8 tiple specialty training programs (such as medi-
9 cine, nursing, social work, physician assistant,
10 chaplaincy, and pharmacy) and clinical training
11 sites to provide training in interprofessional
12 team-based palliative care; and

13 “(H) does not duplicate the activities of
14 existing education centers funded under this
15 section or under section 753 or 865.

16 “(3) EXPANSION OF EXISTING CENTERS.—
17 Nothing in this section shall be construed to—

18 “(A) prevent the Secretary from providing
19 grants to expand existing education centers, in-
20 cluding geriatric education centers established
21 under section 753 or 865, to provide for edu-
22 cation and training focused specifically on pal-
23 liative care, including for non-geriatric popu-
24 lations; or

1 “(B) limit the number of education centers
2 that may be funded in a community.

3 “(b) PALLIATIVE MEDICINE PHYSICIAN TRAINING.—

4 “(1) IN GENERAL.—The Secretary may make
5 grants to, and enter into contracts with, schools of
6 medicine, schools of osteopathic medicine, teaching
7 hospitals, and graduate medical education programs
8 for the purpose of providing support for projects
9 that fund the training of physicians (including resi-
10 dents, trainees, and fellows) who plan to teach pal-
11 liative medicine.

12 “(2) REQUIREMENTS.—Each project for which
13 a grant or contract is made under this subsection
14 shall—

15 “(A) be staffed by full-time teaching physi-
16 cians who have experience or training in inter-
17 professional team-based palliative medicine;

18 “(B) be based in a hospice and palliative
19 medicine fellowship program accredited by the
20 Accreditation Council for Graduate Medical
21 Education;

22 “(C) provide training in interprofessional
23 team-based palliative medicine through a vari-
24 ety of service rotations, such as consultation
25 services, acute care services, extended care fa-

1 ilities, ambulatory care and comprehensive
2 evaluation units, hospices, home care, and com-
3 munity care programs;

4 “(D) develop specific performance-based
5 measures to evaluate the competency of train-
6 ees; and

7 “(E) provide training in interprofessional
8 team-based palliative medicine through one or
9 both of the training options described in para-
10 graph (3).

11 “(3) TRAINING OPTIONS.—The training options
12 referred to in subparagraph (E) of paragraph (2)
13 are as follows:

14 “(A) 1-year retraining programs in hospice
15 and palliative medicine for physicians who are
16 faculty at schools of medicine and osteopathic
17 medicine, or others determined appropriate by
18 the Secretary.

19 “(B) 1- or 2-year training programs that
20 are designed to provide training in interprofes-
21 sional team-based hospice and palliative medi-
22 cine for physicians who have completed grad-
23 uate medical education programs in any med-
24 ical specialty leading to board eligibility in hos-

1 pice and palliative medicine pursuant to the
2 American Board of Medical Specialties.

3 “(4) DEFINITIONS.—For purposes of this sub-
4 section, the term ‘graduate medical education’
5 means a program sponsored by a school of medicine,
6 a school of osteopathic medicine, a hospital, or a
7 public or private institution that—

8 “(A) offers postgraduate medical training
9 in the specialties and subspecialties of medicine;
10 and

11 “(B) has been accredited by the Accredita-
12 tion Council for Graduate Medical Education or
13 the American Osteopathic Association through
14 its Committee on Postdoctoral Training.

15 “(c) PALLIATIVE MEDICINE AND HOSPICE AKA-
16 DEMIC CAREER AWARDS.—

17 “(1) ESTABLISHMENT OF PROGRAM.—The Sec-
18 retary shall establish a program to provide awards,
19 to be known as the ‘Palliative Medicine and Hospice
20 Academic Career Awards’, to eligible individuals to
21 promote the career development of such individuals
22 as academic hospice and palliative care physicians.

23 “(2) ELIGIBLE INDIVIDUALS.—To be eligible to
24 receive an award under paragraph (1), an individual
25 shall—

1 “(A) be board certified or board eligible in
2 hospice and palliative medicine; and

3 “(B) have a junior (non-tenured) faculty
4 appointment at an accredited (as determined by
5 the Secretary) school of medicine or osteopathic
6 medicine.

7 “(3) LIMITATIONS.—No award under para-
8 graph (1) may be made to an eligible individual un-
9 less the individual—

10 “(A) has submitted to the Secretary an ap-
11 plication, at such time, in such manner, and
12 containing such information as the Secretary
13 may require, and the Secretary has approved
14 such application;

15 “(B) provides, in such form and manner as
16 the Secretary may require, assurances that the
17 individual will meet the service requirement de-
18 scribed in paragraph (6); and

19 “(C) provides, in such form and manner as
20 the Secretary may require, assurances that the
21 individual has a full-time faculty appointment
22 in a health professions institution and docu-
23 mented commitment from such institution to
24 spend a majority of the total funded time of
25 such individual on teaching and developing

1 skills in education in interprofessional team-
2 based palliative care.

3 “(4) MAINTENANCE OF EFFORT.—An eligible
4 individual who receives an award under paragraph
5 (1) shall provide assurances to the Secretary that
6 funds provided to the eligible individual under this
7 subsection will be used only to supplement, not to
8 supplant, the amount of Federal, State, and local
9 funds otherwise expended by the eligible individual.

10 “(5) AMOUNT AND TERM.—

11 “(A) AMOUNT.—The amount of an award
12 under this subsection shall be equal to the
13 award amount provided for under section
14 753(c)(5)(A) for the fiscal year involved.

15 “(B) TERM.—The term of an award made
16 under this subsection shall not exceed 5 years.

17 “(C) PAYMENT TO INSTITUTION.—The
18 Secretary shall make payments for awards
19 under this subsection to institutions, including
20 schools of medicine and osteopathic medicine.

21 “(6) SERVICE REQUIREMENT.—An individual
22 who receives an award under this subsection shall
23 provide training in palliative care and hospice, in-
24 cluding the training of interprofessional teams of
25 health care professionals. The provision of such

1 training shall constitute a majority of the total fund-
2 ed obligations of such individual under the award.

3 “(d) PALLIATIVE CARE WORKFORCE DEVELOP-
4 MENT.—

5 “(1) IN GENERAL.—The Secretary shall award
6 grants or contracts under this subsection to entities
7 that operate a Palliative Care and Hospice Edu-
8 cation Center pursuant to subsection (a)(1).

9 “(2) APPLICATION.—To be eligible for an
10 award under paragraph (1), an entity described in
11 such paragraph shall submit to the Secretary an ap-
12 plication at such time, in such manner, and con-
13 taining such information as the Secretary may re-
14 quire.

15 “(3) USE OF FUNDS.—Amounts awarded under
16 a grant or contract under paragraph (1) shall be
17 used to carry out the fellowship program described
18 in paragraph (4).

19 “(4) FELLOWSHIP PROGRAM.—

20 “(A) IN GENERAL.—Pursuant to para-
21 graph (3), a Palliative Care and Hospice Edu-
22 cation Center that receives an award under this
23 subsection shall use such funds to offer short-
24 term intensive courses (referred to in this sub-
25 section as a ‘fellowship’) that focus on inter-

1 professional team-based palliative care that pro-
2 vide supplemental training for faculty members
3 in medical schools and other health professions
4 schools with programs in psychology, pharmacy,
5 nursing, social work, physician assistant edu-
6 cation, chaplaincy, or other health disciplines,
7 as approved by the Secretary. Such a fellowship
8 shall be open to current faculty, and appro-
9 priately credentialed volunteer faculty and prac-
10 titioners, who do not have formal training in
11 palliative care, to upgrade their knowledge and
12 clinical skills for the care of individuals with se-
13 rious or life-threatening illness and to enhance
14 their interdisciplinary and interprofessional
15 teaching skills.

16 “(B) LOCATION.—A fellowship under this
17 paragraph shall be offered either at the Pallia-
18 tive Care and Hospice Education Center that is
19 sponsoring the course, in collaboration with
20 other Palliative Care and Hospice Education
21 Centers, or at medical schools, schools of nurs-
22 ing, schools of pharmacy, schools of social work,
23 schools of chaplaincy or pastoral care education,
24 graduate programs in psychology, physician as-
25 sistant education programs, or other health pro-

1 fessions schools approved by the Secretary with
2 which the Centers are affiliated.

3 “(C) CONTINUING EDUCATION CREDIT.—
4 Participation in a fellowship under this para-
5 graph shall be accepted with respect to com-
6 plying with continuing health profession edu-
7 cation requirements. As a condition of such ac-
8 ceptance, the recipient shall subsequently pro-
9 vide a minimum of 18 hours of voluntary in-
10 struction in palliative care content (that has
11 been approved by a palliative care and hospice
12 education center) to students or trainees in
13 health-related educational, home, hospice, or
14 long-term care settings.

15 “(5) TARGETS.—A Palliative Care and Hospice
16 Education Center that receives an award under
17 paragraph (1) shall meet targets approved by the
18 Secretary for providing training in interprofessional
19 team-based palliative care to a certain number of
20 faculty or practitioners during the term of the
21 award, as well as other parameters established by
22 the Secretary.

23 “(6) AMOUNT OF AWARD.—Each award under
24 paragraph (1) shall be in the amount of \$150,000.
25 Not more than 24 Palliative Care and Hospice Edu-

1 cation Centers may receive an award under such
2 paragraph.

3 “(7) MAINTENANCE OF EFFORT.—A Palliative
4 Care and Hospice Education Center that receives an
5 award under paragraph (1) shall provide assurances
6 to the Secretary that funds provided to the Center
7 under the award will be used only to supplement,
8 not to supplant, the amount of Federal, State, and
9 local funds otherwise expended by such Center.

10 “(e) PALLIATIVE CARE AND HOSPICE CAREER IN-
11 CENTIVE AWARDS.—

12 “(1) IN GENERAL.—The Secretary shall award
13 grants or contracts under this subsection to individ-
14 uals described in paragraph (2) to foster greater in-
15 terest among a variety of health professionals in en-
16 tering the field of palliative care.

17 “(2) ELIGIBLE INDIVIDUALS.—To be eligible to
18 receive an award under paragraph (1), an individual
19 shall—

20 “(A) be an advanced practice nurse, a so-
21 cial worker, physician assistant, pharmacist,
22 chaplain, or student of psychology who is pur-
23 suing a doctorate, masters, or other advanced
24 degree with a focus in interprofessional team-

1 based palliative care or related fields in an ac-
2 credited health professions school; and

3 “(B) submit to the Secretary an applica-
4 tion at such time, in such manner, and con-
5 taining such information as the Secretary may
6 require.

7 “(3) CONDITIONS OF AWARD.—As a condition
8 of receiving an award under paragraph (1), an indi-
9 vidual shall agree that, following completion of the
10 award period, the individual will teach or practice
11 palliative care in health-related educational, home,
12 hospice, or long-term care settings for a minimum of
13 5 years under guidelines established by the Sec-
14 retary.

15 “(4) PAYMENT TO INSTITUTION.—The Sec-
16 retary shall make payments for awards under para-
17 graph (1) to institutions that include schools of med-
18 icine, osteopathic medicine, nursing, social work,
19 psychology, chaplaincy or pastoral care education,
20 dentistry, and pharmacy, or other allied health dis-
21 cipline in an accredited health professions school or
22 program (such as a physician assistant education
23 program) that is approved by the Secretary.

24 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section,

1 \$15,000,000 for each of the fiscal years 2020 through
2 2024.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 this section shall be effective beginning on the date that
5 is 90 days after the date of enactment of this Act.

6 **SEC. 3. HOSPICE AND PALLIATIVE NURSING.**

7 (a) NURSE EDUCATION, PRACTICE, AND QUALITY
8 GRANTS.—Section 831(b)(3) of the Public Health Service
9 Act (42 U.S.C. 296p(b)(3)) is amended by inserting “hos-
10 pice and palliative nursing,” after “coordinated care,”.

11 (b) PALLIATIVE CARE AND HOSPICE EDUCATION
12 AND TRAINING PROGRAMS.—Part D of title VIII of the
13 Public Health Service Act (42 U.S.C. 296p et seq.) is
14 amended by adding at the end the following:

15 **“SEC. 832. PALLIATIVE CARE AND HOSPICE EDUCATION
16 AND TRAINING.**

17 “(a) PROGRAM AUTHORIZED.—The Secretary shall
18 award grants to eligible entities to develop and implement,
19 in coordination with programs under section 759A, pro-
20 grams and initiatives to train and educate individuals in
21 providing interprofessional team-based palliative care in
22 health-related educational, hospital, hospice, home, or
23 long-term care settings.

1 “(b) USE OF FUNDS.—An eligible entity that receives
2 a grant under subsection (a) shall use funds under such
3 grant to—

4 “(1) provide training to individuals who will
5 provide palliative care in health-related educational,
6 hospital, home, hospice, or long-term care settings;

7 “(2) develop and disseminate curricula relating
8 to palliative care in health-related educational, hos-
9 pital, home, hospice, or long-term care settings;

10 “(3) train faculty members in palliative care in
11 health-related educational, hospital, home, hospice,
12 or long-term care settings; or

13 “(4) provide continuing education to individuals
14 who provide palliative care in health-related edu-
15 cational, home, hospice, or long-term care settings.

16 “(c) APPLICATION.—An eligible entity desiring a
17 grant under subsection (a) shall submit an application to
18 the Secretary at such time, in such manner, and con-
19 taining such information as the Secretary may reasonably
20 require.

21 “(d) ELIGIBLE ENTITY.—For purposes of this sec-
22 tion, the term ‘eligible entity’ shall include a school of
23 nursing, a health care facility, a program leading to cer-
24 tification as a certified nurse assistant, a partnership of

1 such a school and facility, or a partnership of such a pro-
2 gram and facility.

3 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$5,000,000 for each of fiscal years 2020 through 2024.”.

6 **SEC. 4. DISSEMINATION OF PALLIATIVE CARE INFORMA-**
7 **TION.**

8 Part A of title IX of the Public Health Service Act
9 (42 U.S.C. 299 et seq.) is amended by adding at the end
10 the following new section:

11 **“SEC. 904. DISSEMINATION OF PALLIATIVE CARE INFORMA-**
12 **TION.**

13 “(a) IN GENERAL.—Under the authority under sec-
14 tion 902(a) to disseminate information on health care and
15 on systems for the delivery of such care, the Director may
16 disseminate information to inform patients, families, and
17 health professionals about the benefits of palliative care
18 throughout the continuum of care for patients with serious
19 or life-threatening illness.

20 “(b) INFORMATION DISSEMINATED.—

21 “(1) MANDATORY INFORMATION.—If the Direc-
22 tor elects to disseminate information under sub-
23 section (a), such dissemination shall include the fol-
24 lowing:

1 “(A) PALLIATIVE CARE.—Information, re-
2 sources, and communication materials about
3 palliative care as an essential part of the con-
4 tinuum of quality care for patients and families
5 facing serious or life-threatening illness (includ-
6 ing cancer; heart, kidney, liver, lung, and infec-
7 tious diseases; as well as neurodegenerative dis-
8 ease such as dementia, Parkinson’s disease, or
9 amyotrophic lateral sclerosis).

10 “(B) PALLIATIVE CARE SERVICES.—Spe-
11 cific information regarding the services provided
12 to patients by professionals trained in hospice
13 and palliative care, including pain and symptom
14 management, support for shared decision-
15 making, care coordination, psychosocial care,
16 and spiritual care, explaining that such services
17 may be provided starting at the point of diag-
18 nosis and alongside curative treatment and are
19 intended to—

20 “(i) provide patient-centered and fam-
21 ily-centered support throughout the con-
22 tinuum of care for serious and life-threat-
23 ening illness;

1 “(ii) anticipate, prevent, and treat
2 physical, emotional, social, and spiritual
3 suffering;

4 “(iii) optimize quality of life; and

5 “(iv) facilitate and support the goals
6 and values of patients and families.

7 “(C) PALLIATIVE CARE PROFESSIONALS.—
8 Specific materials that explain the role of pro-
9 fessionals trained in hospice and palliative care
10 in providing team-based care (including pain
11 and symptom management, support for shared
12 decisionmaking, care coordination, psychosocial
13 care, and spiritual care) for patients and fami-
14 lies throughout the continuum of care for seri-
15 ous or life-threatening illness.

16 “(D) RESEARCH.—Evidence-based re-
17 search demonstrating the benefits of patient ac-
18 cess to palliative care throughout the continuum
19 of care for serious or life-threatening illness.

20 “(E) POPULATION-SPECIFIC MATERIALS.—
21 Materials targeting specific populations, includ-
22 ing patients with serious or life-threatening ill-
23 ness who are among medically underserved pop-
24 ulations (as defined in section 330(b)(3)) and
25 families of such patients or health professionals

1 serving medically underserved populations. Such
2 populations shall include pediatric patients,
3 young adult and adolescent patients, racial and
4 ethnic minority populations, and other priority
5 populations specified by the Director.

6 “(2) REQUIRED PUBLICATION.—Information
7 and materials disseminated under paragraph (1)
8 shall be posted on the Internet websites of relevant
9 Federal agencies and departments, including the De-
10 partment of Veterans Affairs, the Centers for Medi-
11 care & Medicaid Services, and the Administration on
12 Aging.

13 “(c) CONSULTATION.—The Director shall consult
14 with appropriate professional societies, hospice and pallia-
15 tive care stakeholders, and relevant patient advocate orga-
16 nizations with respect to palliative care, psychosocial care,
17 and complex chronic illness with respect to the following:

18 “(1) The planning and implementation of the
19 dissemination of palliative care information under
20 this section.

21 “(2) The development of information to be dis-
22 seminated under this section.

23 “(3) A definition of the term ‘serious or life-
24 threatening illness’ for purposes of this section.”

1 **SEC. 5. CLARIFICATION.**

2 None of the funds authorized under this Act (or an
3 amendment made by this Act) may be used to provide,
4 promote, or provide training with regard to any item or
5 service for which Federal funding is unavailable under sec-
6 tion 3 of Public Law 105–12 (42 U.S.C. 14402).

7 **SEC. 6. ENHANCING NIH RESEARCH IN PALLIATIVE CARE.**

8 (a) IN GENERAL.—Part B of title IV of the Public
9 Health Service Act (42 U.S.C. 284 et seq.) is amended
10 by adding at the end the following new section:

11 **“SEC. 409K. ENHANCING RESEARCH IN PALLIATIVE CARE.**

12 “The Secretary, acting through the Director of the
13 National Institutes of Health, shall develop and implement
14 a strategy to be applied across the institutes and centers
15 of the National Institutes of Health to expand and inten-
16 sify national research programs in palliative care in order
17 to address the quality of care and quality of life for the
18 rapidly growing population of patients in the United
19 States with serious or life-threatening illnesses, including
20 cancer; heart, kidney, liver, lung, and infectious diseases;
21 as well as neurodegenerative diseases such as dementia,
22 Parkinson’s disease, or amyotrophic lateral sclerosis.”.

23 (b) EXPANDING TRANS-NIH RESEARCH REPORTING
24 TO INCLUDE PALLIATIVE CARE RESEARCH.—Section
25 402A(c)(2)(B) of the Public Health Service Act (42
26 U.S.C. 282a(c)(2)(B)) is amended by inserting “and, be-

1 ginning January 1, 2020, for conducting or supporting re-
2 search with respect to palliative care” after “or national
3 centers”.