

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 959
OFFERED BY MR. BURGESS OF TEXAS**

Strike all after the enacting clause and insert the following:

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 2018”.

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 of the Public Health
9 Service Act (42 U.S.C. 296a) is amended by striking
10 “shall address relevant national nursing needs that the
11 project will meet” and inserting “shall address relevant
12 national nursing needs that the project will address and

1 how the project aligns with the national nursing service
2 goals referred to in section 806(a)”.

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

6 “(c) SUPPLEMENT, NOT SUPPLANT.—Funds award-
7 ed as a grant under this title for a project or activity shall
8 be used to supplement not supplant the non-Federal funds
9 that would otherwise be made available for such project
10 or activity.”.

11 (c) MATCHING REQUIREMENT.—Section 804 of the
12 Public Health Service Act (42 U.S.C. 296c) is amended
13 by striking “may require that an entity that applies for
14 a grant or contract under this title” and inserting “shall
15 consider whether to require that an entity that applies for
16 a grant or contract under this title provide non-Federal
17 matching funds and may require that such entity”.

18 (d) GENERALLY APPLICABLE PROVISIONS.—Section
19 806 of the Public Health Service Act (42 U.S.C. 296e)
20 is amended—

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

23 “(2) EVALUATIONS.—The Secretary shall es-
24 tablish procedures to ensure the annual evaluation of
25 programs and projects operated by recipients of

1 grants under this title. Such procedures shall ensure
2 that continued funding for such programs and
3 projects will be conditioned upon the submission
4 of—

5 “(A) data demonstrating that satisfactory
6 progress has been made by the program or
7 project in meeting the performance outcome
8 standards (as described in section 802) of such
9 program or project; and

10 “(B) a detailed description of activities
11 conducted by such program or project to meet
12 such performance outcome standards.”;

13 (2) in subsection (e)(2), by inserting “, and
14 have relevant expertise and experience” after “who
15 are not officers or employees of the Federal Govern-
16 ment”; and

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

18 “(i) ANNUAL REPORT ON NURSING WORKFORCE
19 PROGRAMS.—Annually, the Secretary shall submit to the
20 Committee on Health, Education, Labor, and Pensions of
21 the Senate, and the Committee on Energy and Commerce
22 of the House of Representatives, a report containing an
23 assessment of the programs and activities of the Depart-
24 ment of Health and Human Services related to enhancing
25 the nursing workforce, including the extent to which pro-

1 grams and activities under this title meet identified goals
2 and performance measures developed for the respective
3 programs and activities.”.

4 **SEC. 3. NURSE PRACTITIONERS, NURSE MIDWIVES, NURSE**
5 **ANESTHETISTS, AND OTHER ADVANCED EDU-**
6 **CATION NURSES.**

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

9 (1) in subsection (b)—

10 (A) by striking “R.N./Master’s” and in-
11 serting “R.N./graduate”; and

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

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

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

18 “(f) **AUTHORIZED CLINICAL NURSE SPECIALIST**
19 **PROGRAMS.**—Clinical nurse specialist programs eligible
20 for support under this section are education programs
21 that—

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

24 “(2) have as their objective the education of
25 clinical nurse specialists who will upon completion of

1 such a program be qualified to effectively provide
2 care through the wellness and illness continuum to
3 inpatients and outpatients experiencing acute and
4 chronic illness.”; and

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

6 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 \$74,581,000 for each of fiscal years 2019 through 2023.”.

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

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

13 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$17,343,000 for each of fiscal years 2019 through 2023.”.

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

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

21 (1) in the section heading, by striking “**AND**
22 **QUALITY**” and inserting “**QUALITY, AND RETEN-**
23 **TION**”;

24 (2) in subsection (b), by amending paragraph
25 (2) to read as follows:

1 “(2) providing care for underserved populations
2 and high-risk groups, which may include the elderly,
3 individuals with HIV/AIDS, individuals with mental
4 health or substance use disorders, individuals who
5 are homeless, and victims and survivors of domestic
6 violence;”;

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

9 “(1) GRANTS FOR CAREER LADDER PRO-
10 GRAMS.—The Secretary may award grants to and
11 enter into contracts with eligible entities for pro-
12 grams—

13 “(A) to promote career advancement for—

14 “(i) nursing personnel in a variety of
15 training settings, cross training or spe-
16 cialty training among diverse population
17 groups, and the advancement of individ-
18 uals, including to become professional reg-
19 istered nurses, advanced practice reg-
20 istered nurses, and nurses with graduate
21 nursing education; and

22 “(ii) individuals, including licensed
23 practical nurses, licensed vocational nurses,
24 certified nurse assistants, and diploma de-
25 gree or associate degree nurses, to become

1 baccalaureate-prepared registered nurses
2 or nurses with graduate nursing education;

3 “(B) to assist individuals in obtaining edu-
4 cation and training required to enter the nurs-
5 ing profession and advance within such profes-
6 sion, such as by providing career counseling and
7 mentoring; and

8 “(C) to develop and implement internships,
9 accredited fellowships, and accredited residency
10 programs in collaboration with one or more ac-
11 credited schools of nursing to encourage men-
12 toring and development of specialties.”;

13 (4) by striking subsection (e) (relating to pref-
14 erence);

15 (5) by redesignating subsections (f) through (g)
16 as subsections (e) and (f), respectively;

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

23 (7) by amending subsection (f), as so redesign-
24 ated, to read as follows:

1 “(f) ELIGIBLE ENTITY.—For purposes of this sec-
2 tion, the term ‘eligible entity’ includes an accredited school
3 of nursing, a health care facility, a partnership of such
4 a school and facility, a federally qualified health center,
5 or a nurse-managed health clinic.”;

6 (8) by inserting after subsection (f), as so re-
7 designated, the following:

8 “(g) DEFINITION.—The term ‘nurse-managed health
9 clinic’ means a nurse-practice arrangement, managed by
10 advanced practice nurses, that provides primary care or
11 wellness services to underserved or vulnerable populations
12 that is associated with a school, college, university or de-
13 partment of nursing, federally qualified health center, or
14 independent nonprofit health or social services agency.”;
15 and

16 (9) in subsection (h), by striking “such sums as
17 may be necessary for each of fiscal years 2010
18 through 2014” and inserting “\$41,913,000 for each
19 of fiscal years 2019 through 2023”.

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

1 **SEC. 6. STUDENT LOANS.**

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

5 (1) in subsection (b)(1), by striking “he began
6 such practice” and inserting “the individual began
7 such practice”;

8 (2) in subsection (d)(1), by striking “(for fiscal
9 years 2003 and 2004) and may (for fiscal years
10 thereafter)”;

11 (3) in subsection (h), in the matter preceding
12 paragraph (1), by striking “Not later than” through
13 “regarding” and inserting “The annual report on
14 nursing workforce programs as required by section
15 806(i) shall include information regarding the pro-
16 grams carried out under this section, including”;
17 and

18 (4) in subsection (i)(1), by striking “such sums
19 as may be necessary for each of fiscal years 2003
20 through 2007” and inserting “\$87,135,000 for each
21 of fiscal years 2019 through 2023”.

22 (b) NURSE FACULTY LOAN PROGRAM.—Section
23 846A of the Public Health Service Act (42 U.S.C. 297n–
24 1) is amended by striking “such sums as may be necessary
25 for each of fiscal years 2010 through 2014” and inserting

1 “\$28,500,000 for each of fiscal years 2019 through
2 2023”.

3 **SEC. 7. NATIONAL ADVISORY COUNCIL ON NURSE EDU-
4 CATION AND PRACTICE.**

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

7 (1) in subsection (b)(1)(A)(iv), by striking “and
8 nurse anesthetists” and inserting “nurse anes-
9 thetists, and clinical nurse specialists”;

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

12 “(3) not later than 2 years after the date of en-
13 actment of Title VIII Nursing Workforce Reauthor-
14 ization Act of 2018, and every 2 years thereafter,
15 prepare and submit to the Secretary, the Committee
16 on Health, Education, Labor, and Pensions of the
17 Senate, and the Committee on Energy and Com-
18 merce of the House of Representatives, a report de-
19 scribing the activities of the Council, including find-
20 ings and recommendations made by the Council con-
21 cerning the activities under this title.”; and

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

1 **SEC. 8. OTHER PROVISIONS.**

2 (a) PUBLIC SERVICE ANNOUNCEMENTS.—Part G of
3 title VIII of the Public Health Service Act (42 U.S.C.
4 297w et seq.) is repealed.

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

