

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.

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## 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

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## 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,*

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

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Title VIII Nursing Workforce Reauthorization Act of  
6 2019”.

1 (b) TABLE OF CONTENTS.—The table of contents of  
 2 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.

3 **SEC. 2. GENERAL PROVISIONS.**

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

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

14 “(c) SUPPLEMENT NOT SUPPLANT.—Funds awarded  
 15 as a grant under this title for a project or activity shall  
 16 be used to supplement, not supplant, the non-Federal  
 17 funds that would otherwise be made available for such  
 18 project or activity.”.

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

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

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

10                   “(A) data demonstrating that satisfactory  
11                   progress has been made by the program or  
12                   project in meeting the performance outcome  
13                   standards (as described in section 802) of such  
14                   program or project; and

15                   “(B) a detailed description of activities  
16                   conducted by such program or project to meet  
17                   such performance outcome standards.”;

18           (2) in subsection (e)(2), by inserting “, and  
19           have relevant expertise and experience” after “who  
20           are not officers or employees of the Federal Govern-  
21           ment”; and

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

23           “(i) ANNUAL REPORT ON NURSING WORKFORCE  
24           PROGRAMS.—Annually, the Secretary shall submit to the  
25           Committee on Health, Education, Labor, and Pensions of

1 the Senate, and the Committee on Energy and Commerce  
2 of the House of Representatives, a report containing an  
3 assessment of the programs and activities of the Depart-  
4 ment of Health and Human Services related to enhancing  
5 the nursing workforce, including the extent to which pro-  
6 grams and activities under this title meet identified goals  
7 and performance measures developed for the respective  
8 programs and activities.”.

9 **SEC. 3. NURSE PRACTITIONERS, NURSE MIDWIVES, NURSE**  
10 **ANESTHETISTS, AND OTHER ADVANCED EDU-**  
11 **CATION NURSES.**

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

14 (1) in subsection (b)—

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

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

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

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

23 “(f) **AUTHORIZED CLINICAL NURSE SPECIALIST**  
24 **PROGRAMS.**—Clinical nurse specialist programs eligible

1 for support under this section are education programs  
2 that—

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

5 “(2) have as their objective the education of  
6 clinical nurse specialists who will upon completion of  
7 such a program be qualified to effectively provide  
8 care through the wellness and illness continuum to  
9 inpatients and outpatients experiencing acute and  
10 chronic illness.”; and

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

12 “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
13 are authorized to be appropriated to carry out this section  
14 \$74,581,000 for each of fiscal years 2020 through 2024.”.

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

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

19 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated to carry out this section  
21 \$17,343,000 for each of fiscal years 2020 through 2024.”.

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

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

6 (1) in the section heading, by striking “**AND**  
7 **QUALITY**” and inserting “**QUALITY, AND RETEN-**  
8 **TION**”;

9 (2) in subsection (b), by amending paragraph  
10 (2) to read as follows:

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

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

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

23 “(A) to promote career advancement for—

24 “(i) nursing personnel in a variety of  
25 training settings, cross training or spe-  
26 cialty training among diverse population

1 groups, and the advancement of individ-  
2 uals, including to become professional reg-  
3 istered nurses, advanced practice reg-  
4 istered nurses, and nurses with graduate  
5 nursing education; and

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

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

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

22 (4) by striking subsection (e) (relating to pref-  
23 erence);

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

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

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

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

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

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

24           (8) in subsection (g), as redesignated by para-  
25 graph (5), by striking “such sums as may be nec-



1        essary for each of fiscal years 2010 through 2014”  
2        and inserting “\$41,913,000 for each of fiscal years  
3        2020 through 2024”.

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

7        **SEC. 6. STUDENT LOANS.**

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

11                (1) in subsection (b)(1), by striking “he began  
12                such practice” and inserting “the individual began  
13                such practice”;

14                (2) in subsection (d)(1), by striking “(for fiscal  
15                years 2003 and 2004) and may (for fiscal years  
16                thereafter)”;

17                (3) in subsection (h), in the matter preceding  
18                paragraph (1), by striking “Not later than” through  
19                “regarding” and inserting “The annual report on  
20                nursing workforce programs, as required by section  
21                806(i), shall include information regarding the pro-  
22                grams carried out under this section, including”;  
23                and

24                (4) in subsection (i)(1), by striking “such sums  
25                as may be necessary for each of fiscal years 2003

1 through 2007” and inserting “\$87,135,000 for each  
2 of fiscal years 2020 through 2024”.

3 (b) NURSE FACULTY LOAN PROGRAM.—Section  
4 846A of the Public Health Service Act (42 U.S.C. 297n–  
5 1) is amended by striking “such sums as may be necessary  
6 for each of fiscal years 2010 through 2014” and inserting  
7 “\$28,500,000 for each of fiscal years 2020 through  
8 2024”.

9 **SEC. 7. NATIONAL ADVISORY COUNCIL ON NURSE EDU-**  
10 **CATION AND PRACTICE.**

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

13 (1) in subsection (b)(1)(A)(iv), by striking “and  
14 nurse anesthetists” and inserting “nurse anes-  
15 thetists, and clinical nurse specialists”;

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

18 “(3) not later than 2 years after the date of en-  
19 actment of the Title VIII Nursing Workforce Reau-  
20 thorization Act of 2019, and every 2 years there-  
21 after, prepare and submit to the Secretary, the Com-  
22 mittee on Health, Education, Labor, and Pensions  
23 of the Senate, and the Committee on Energy and  
24 Commerce of the House of Representatives, a report  
25 describing the activities of the Council, including

1 findings and recommendations made by the Council  
2 concerning the activities under this title.”; and

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

6 **SEC. 8. OTHER PROVISIONS.**

7 (a) PUBLIC SERVICE ANNOUNCEMENTS.—Part G of  
8 title VIII of the Public Health Service Act (42 U.S.C.  
9 297w et seq.) is repealed.

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

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