

106TH CONGRESS
2D SESSION

H. R. 4973

To amend the Public Health Service Act to establish a grant program regarding the unreimbursed costs of border hospitals in providing emergency medical services to undocumented aliens.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2000

Mr. KOLBE introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Public Health Service Act to establish a grant program regarding the unreimbursed costs of border hospitals in providing emergency medical services to undocumented aliens.

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 “Border Hospital Relief
5 Act”.

1 **SEC. 2. ESTABLISHMENT OF GRANT PROGRAM REGARDING**
2 **EMERGENCY HEALTH SERVICES PROVIDED**
3 **BY ELIGIBLE BORDER HOSPITALS TO CER-**
4 **TAIN UNDOCUMENTED ALIENS.**

5 Subpart I of part D of title III of the Public Health
6 Service Act (42 U.S.C. 254b et seq.) is amended by adding
7 at the end the following section:

8 **“SEC. 330E. EMERGENCY HEALTH SERVICES PROVIDED BY**
9 **ELIGIBLE BORDER HOSPITALS TO CERTAIN**
10 **UNDOCUMENTED ALIENS.**

11 “(a) IN GENERAL.—The Secretary may make grants
12 to eligible border hospitals to assist the hospitals with the
13 costs of providing emergency medical services to qualifying
14 undocumented aliens.

15 “(b) ELIGIBLE BORDER HOSPITAL; OTHER
16 TERMS.—For purposes of this section:

17 “(1) A hospital is a border hospital if the hos-
18 pital is located in the United States in a county or
19 other political subdivision that is contiguous with the
20 border between the United States and Mexico.

21 “(2) A border hospital is an eligible border hos-
22 pital if the number of cases in which the border hos-
23 pital provides emergency medical care to qualifying
24 undocumented aliens is significantly above the num-
25 ber of cases in which other border hospitals provide
26 emergency medical care to such aliens.

1 “(3) A qualifying undocumented alien is an un-
2 documented alien—

3 “(A) who is not eligible for medical assist-
4 ance under the State plan under title XIX of
5 the Social Security Act (for the State in which
6 the border hospital involved is located); or

7 “(B) for whom eligibility to receive medical
8 assistance under such State plan is difficult to
9 determine.

10 “(4) An undocumented alien is an individual
11 who is not in possession of any of the following:

12 “(A) A driver’s license issued by a State,
13 or other document indicating that the individual
14 is a citizen or national of the United States.

15 “(B) An unexpired immigrant visa, non-
16 immigrant visa, reentry permit, border crossing
17 identification card, or other entry document
18 under the Immigration and Nationality Act.

19 “(c) RELATIONSHIP TO PAYMENTS UNDER OTHER
20 PROGRAMS.—A grant may be made under subsection (a)
21 only if the applicant involved agrees that the grant will
22 not be expended to pay the costs of providing emergency
23 medical services to qualifying undocumented aliens to the
24 extent that payment has been made, or can reasonably be
25 expected to be made, with respect to such costs—

1 “(1) under any State compensation program,
2 under an insurance policy, or under any Federal or
3 State health benefits program; or

4 “(2) by an entity that provides health services
5 on a prepaid basis.

6 “(d) APPLICATION FOR GRANT.—A grant may be
7 made under subsection (a) only if an application for the
8 grant is submitted to the Secretary and the application
9 is in such form, is made in such manner, and contains
10 such agreements, assurances, and information as the Sec-
11 retary determines to be necessary to carry out this section.

12 “(e) AMOUNT OF GRANT.—

13 “(1) IN GENERAL.—Subject to paragraph (2),
14 the amount of a grant under subsection (a) to an el-
15 igible border hospital shall be based on the amount
16 of the unreimbursed costs incurred by the hospital
17 in providing emergency medical services to qualifying
18 undocumented aliens.

19 “(2) PRIORITY.—In determining the amount of
20 a grant under subsection (a), the Secretary shall
21 give priority to eligible border hospitals that have
22 100 or fewer inpatient beds.

23 “(f) AUTHORIZATION OF APPROPRIATIONS.—For the
24 purpose of carrying out this section, there are authorized
25 to be appropriated \$25,000,000 for fiscal year 2001, and

- 1 such sums as may be necessary for each of the fiscal years
- 2 2002 through 2005.”.

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