

108TH CONGRESS  
1ST SESSION

**H. R. 3038**

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**AN ACT**

To make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.



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## AN ACT

To make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.

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.**

2 This Act may be cited as the “Health Care Safety  
3 Net Amendments Technical Corrections Act of 2003”.

4 **SEC. 2. TECHNICAL AMENDMENTS.**

5 (a) HEALTH CENTERS.—

6 (1) IN GENERAL.—Section 330 of the Public  
7 Health Service Act (42 U.S.C. 254b) is amended to  
8 read as if—

9 (A) subparagraph (C) of the second para-  
10 graph (4) of section 101 of Public Law 107–  
11 251 had not been enacted;

12 (B) paragraph (7)(C) of such section 101  
13 had not been enacted; and

14 (C) paragraphs (8) through (11) of such  
15 section 101 had not been enacted.

16 (2) AMENDMENTS PER PUBLIC LAW 107–251.—  
17 Section 330 of the Public Health Service Act (42  
18 U.S.C. 254b), as amended by paragraph (1), is  
19 amended—

20 (A) in subsection (c)(1)(B), in the matter  
21 preceding clause (i), by striking “plan..” and  
22 inserting “plan.”;

23 (B) in subsection (d)(1)(B)(iii), in sub-  
24 clause (I), by adding “or” at the end;

25 (C) by striking subsection (k);

1 (D) by redesignating subsection (j) as sub-  
2 section (k);

3 (E) by inserting after subsection (i) a sub-  
4 section that is identical to the subsection (j)  
5 that appears (as an amendment) in section  
6 101(8)(C) of Public Law 107–251;

7 (F) by redesignating subsection (l) as sub-  
8 section (r), by transferring it from its current  
9 placement, and by inserting it after subsection  
10 (q);

11 (G) by inserting before subsection (m) a  
12 subsection that is identical to the subsection  
13 that appears (as an amendment) in section  
14 101(9) of Public Law 107–251, and by redesign-  
15 ating as subsection (l) the subsection that is  
16 so inserted;

17 (H) in subsection (l) (as inserted and re-  
18 designated by subparagraph (G) of this para-  
19 graph), in the first sentence—

20 (i) by inserting after “shall provide”  
21 the following: “(either through the Depart-  
22 ment of Health and Human Services or by  
23 grant or contract)”; and

24 (ii) by striking “(l)(3)” and inserting  
25 “(k)(3)”;

1 (I) in subsection (p), by striking  
2 “(j)(3)(G)” and inserting “(k)(3)(G)”; and

3 (J) in subsection (r) (as redesignated,  
4 transferred, and inserted by subparagraph (F)  
5 of this paragraph)—

6 (i) in paragraph (1), by striking  
7 “\$802,124,000” and all that follows  
8 through the period and inserting  
9 “\$1,340,000,000 for fiscal year 2002 and  
10 such sums as may be necessary for each of  
11 the fiscal years 2003 through 2006.”;

12 (ii) in paragraph (2)(A)—

13 (I) by striking “(j)(3))” and in-  
14 serting “(k)(3))”; and

15 (II) by striking “(j)(3)(G)(ii)”  
16 and inserting “(k)(3)(H)”; and

17 (iii) in paragraph (2), by striking sub-  
18 paragraph (B) and inserting a subpara-  
19 graph that is identical to the subparagraph  
20 (B) that appears (as an amendment) in  
21 section 101(11)(B)(ii) of Public Law 107–  
22 251.

23 (b) RURAL HEALTH OUTREACH.—Section  
24 330A(b)(4) of the Public Health Service Act (42 U.S.C.

1 254c(b)(4)) is amended by striking “799B” and inserting  
2 “799B(6)”.

3 (c) TELEHEALTH.—Section 330I of the Public  
4 Health Service Act (42 U.S.C. 254c–14) is amended—

5 (1) in subsection (a)(4), by striking “799B”  
6 and inserting “799B(6)”; and

7 (2) in subsection (c)(1), by striking “Health  
8 and Resources and Services Administration” and in-  
9 serting “Health Resources and Services Administra-  
10 tion”.

11 (d) MENTAL HEALTH SERVICES VIA TELE-  
12 HEALTH.—Section 330K of the Public Health Service Act  
13 (42 U.S.C. 254c–16) is amended—

14 (1) in subsection (b)(2), by striking “subsection  
15 (a)(4)” and inserting “subsection (a)(3)”; and

16 (2) in subsection (c)(1)—

17 (A) in subparagraph (A), by striking “sub-  
18 section (a)(4)(A)” and inserting “subsection  
19 (a)(3)(A)”; and

20 (B) in subparagraph (B), by striking “sub-  
21 section (a)(4)(B)” and inserting “subsection  
22 (a)(3)(B)”.

23 (e) TELEMEDICINE INCENTIVE GRANTS.—

24 (1) IN GENERAL.—Subpart I of part D of  
25 title III of the Public Health Service Act (42

1 U.S.C. 254b et seq.) is amended by adding at  
2 the end the following:

3 **“SEC. 330L. TELEMEDICINE; INCENTIVE GRANTS REGARD-**  
4 **ING COORDINATION AMONG STATES.**

5 “(a) IN GENERAL.—The Secretary may make grants  
6 to State professional licensing boards to carry out pro-  
7 grams under which such licensing boards of various States  
8 cooperate to develop and implement State policies that will  
9 reduce statutory and regulatory barriers to telemedicine.

10 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
11 purpose of carrying out subsection (a), there are author-  
12 ized to be appropriated such sums as may be necessary  
13 for each of the fiscal years 2002 through 2006.”.

14 (2) REPEAL.—Section 102 of the Health Care  
15 Safety Net Amendments of 2002 (Public Law 107–  
16 251) is repealed.

17 (f) HEALTH PROFESSIONAL SHORTAGE AREAS.—

18 (1) IN GENERAL.—Section 332 of the Public  
19 Health Service Act (42 U.S.C. 254e) is amended—

20 (A) in subsection (a)(1)—

21 (i) by striking “such date of enact-  
22 ment” and inserting “such date of designa-  
23 tion”; and

1 (ii) by striking “, issued after the date  
2 of enactment of this Act, that revise” and  
3 inserting “regarding”; and

4 (B) in subsection (a)(3), by striking  
5 “330(h)(4)” and inserting “330(h)(5)”;

6 (C) in subsection (b)(2), by striking “des-  
7 ignation,.” and inserting “designation.”; and

8 (D) by adding at the end the following:

9 “(j)(1) The Secretary shall submit the report de-  
10 scribed in paragraph (2) if the Secretary, acting through  
11 the Administrator of the Health Resources and Services  
12 Administration, issues—

13 “(A) a regulation that revises the definition of  
14 a health professional shortage area for purposes of  
15 this section; or

16 “(B) a regulation that revises the standards  
17 concerning priority of such an area under section  
18 333A.

19 “(2) On issuing a regulation described in paragraph  
20 (1), the Secretary shall prepare and submit to the Com-  
21 mittee on Energy and Commerce of the House of Rep-  
22 resentatives and the Committee on Health, Education,  
23 Labor, and Pensions of the Senate a report that describes  
24 the regulation.

1       “(3) Each regulation described in paragraph (1) shall  
2 take effect 180 days after the committees described in  
3 paragraph (2) receive a report referred to in such para-  
4 graph describing the regulation.”.

5           (2) REPEAL.—Subsection (b) of section 302 of  
6 the Health Care Safety Net Amendments of 2002  
7 (Public Law 107–251) is repealed.

8           (g) ASSIGNMENT OF CORPS PERSONNEL.—Section  
9 333(a)(1) of the Public Health Service Act (42 U.S.C.  
10 254f) is amended by moving subparagraph (C) so that the  
11 margin of subparagraph (C) is aligned with the margins  
12 of subparagraphs (A), (B), and (D).

13          (h) PRIORITIES IN ASSIGNMENT OF CORPS PER-  
14 SONNEL.—Section 333A(c)(4) of the Public Health Serv-  
15 ice Act (42 U.S.C. 254f–1(c)(4)) is amended by striking  
16 “30 days” and inserting “30 days from such notification”.

17          (i) CHARGES FOR SERVICES.—Section 334(b)(1)(B)  
18 of the Public Health Service Act (42 U.S.C.  
19 254g(b)(1)(B)) is amended by inserting “the payment of”  
20 after “applied to”.

21          (j) NATIONAL HEALTH SERVICE CORPS SCHOLAR-  
22 SHIP PROGRAM.—Section 338A(d)(1) (42 U.S.C.  
23 254l(d)(1)) is amended by moving subparagraph (B) so  
24 that the margin of subparagraph (B) is aligned with the  
25 margin of subparagraphs (A) and (C).

1           (k) NATIONAL HEALTH SERVICE CORPS LOAN RE-  
2 PAYMENT PROGRAM.—Section 338B(e) of the Public  
3 Health Service Act (42 U.S.C. 254I–1) is amended by  
4 striking “PARTICIPATION.—” and all that follows through  
5 “An individual” and inserting “PARTICIPATION.—An indi-  
6 vidual”.

7           (l) BREACH OF CONTRACT.—

8                 (1) IN GENERAL.—Section 338E of the Public  
9 Health Service Act (42 U.S.C. 254o) is amended—

10                         (A) in subsection (c)(1), by moving sub-  
11 paragraphs (A), (B), and (C), and the flush  
12 matter following subparagraph (C), 2 ems to  
13 the left; and

14                         (B) by adding at the end the following:

15           “(f) The amendment made by section 313(a)(4) of  
16 the Health Care Safety Net Amendments of 2002 (Public  
17 Law 107–251) shall apply to any obligation for which a  
18 discharge in bankruptcy has not been granted before the  
19 date that is 31 days after the date of enactment of such  
20 Act.”.

21                 (2) REPEAL.—Subsection (b) of section 313 of  
22 the Health Care Safety Net Amendments of 2002  
23 (Public Law 107–251) is repealed.

24           (m) MISCELLANEOUS.—The Public Health Service  
25 Act (42 U.S.C. 201 et seq.) is amended—

1           (1) in subsections (g)(1)(G)(ii), (k)(2), and  
2           (n)(1)(C) of section 224, and sections 317A(a)(2),  
3           317E(c), and 318A(e), by striking “330, 330(h)”  
4           and inserting “330”;

5           (2) in section 1313, by striking “329, 330, and  
6           330(h)” and inserting “329 and 330”; and

7           (3) in section 2652(a)(2), by striking “section  
8           340” and inserting “section 330(h)”.

9           (n) HEALTH CARE SAFETY NET AMENDMENTS OF  
10          2002.—The Health Care Safety Net Amendments of 2002  
11          (Public Law 107–251) is amended—

12           (1) in section 404(c)(5), by striking “Health  
13           Care Financing Administration and the Health Re-  
14           search” and inserting “Centers for Medicare & Med-  
15           icaid Services and the Health Resources”; and

16           (2) in section 501, by striking “solvency for  
17           managed care networks” and inserting “guarantees  
18           of solvency for managed care networks or plans”.

1 **SEC. 3. EFFECTIVE DATE.**

2       This Act is deemed to have taken effect immediately  
3 after the enactment of Public Law 107–251.

      Passed the House of Representatives October 1,  
2003.

Attest:

*Clerk.*