

110TH CONGRESS  
1ST SESSION

# H. R. 3597

To amend the Higher Education Act of 1965 to create a capitation grant program to increase the number of nurses and graduate educated nurse faculty to meet the future need for qualified nurses, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2007

Mrs. MCCARTHY of New York (for herself and Mr. LATOURETTE) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend the Higher Education Act of 1965 to create a capitation grant program to increase the number of nurses and graduate educated nurse faculty to meet the future need for qualified nurses, 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.**

4 This Act may be cited as the “Increasing Education  
5 Opportunities for Nurses and Nurse Faculty Act of  
6 2007”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) In recent years, the Institute of Medicine  
4 (IOM) has described the American health care sys-  
5 tem in crisis. It is estimated between 44,000 to  
6 98,000 American die as a result of medical errors  
7 each year. A paramount reason for compromised pa-  
8 tient safety is the critical shortage of Registered  
9 Nurses (RN) in the United States.

10 (2) In 2002, the Joint Commission found that  
11 for roughly a quarter (24 percent) of hospital pa-  
12 tient deaths and injuries, low nurse staffing levels  
13 was a contributing factor.

14 (3) The current nursing shortage places the  
15 lives of patients at risk and the shortage is only pro-  
16 jected to worsen. In April 2006, the Health Re-  
17 sources and Services Administration (HRSA) pre-  
18 dicted that the nation's nursing shortage would grow  
19 to more than one million nurses by 2020. If the cur-  
20 rent nursing shortage trend continues, only sixty-  
21 four percent of the projected demand will be met.

22 (4) More registered nurses must be educated to  
23 meet the demanding needs of the future. They are  
24 a critical component of the health care delivery sys-  
25 tem, are the first responders during natural disas-  
26 ters and are essential to provide health care to the

1 U.S. military. In the future, RNs will play an even  
2 larger role in the health care delivery system as 78  
3 million baby boomers age and require additional  
4 health care services.

5 (5) Over the last nine years, the nursing short-  
6 age has become more apparent as constraints in  
7 nursing education programs have intensified. Ac-  
8 cording to the American Association of Colleges of  
9 Nursing report on 2006–2007 Enrollment and Grad-  
10 uations in Baccalaureate and Graduate Programs in  
11 Nursing, U.S. nursing schools turned away 42,866  
12 qualified applicants from baccalaureate and graduate  
13 nursing programs in 2006 due to insufficient num-  
14 ber of faculty, clinical sites, classroom space, clinical  
15 preceptors, and budget constraints.

16 (6) While graduations increased by 18 percent  
17 from 2005 to 2006 in entry-level baccalaureate nurs-  
18 ing programs, this increase does not meet the de-  
19 mand. The April 2006 HRSA projection noted that  
20 nursing schools must increase the number of grad-  
21 uates by 90 percent in order to adequately address  
22 the nursing shortage.

23 (7) From 1971 to 1978, Congress provided  
24 schools of nursing Capitation Grants, which are for-  
25 mula grants based on the number of students en-

1 rolled. Most notably, the Nurse Training Act of  
2 1971 (P.L. 92–158) and the Nurse Training Act of  
3 1975 (P.L. 94–63) facilitated increased enrollments  
4 in schools of nursing and helped relieve past nursing  
5 shortages.

6 (8) According to a 2006 National League for  
7 Nursing report, nurse faculty vacancies continued to  
8 grow with 1,390 as the estimated number of budg-  
9 eted, unfilled, full-time positions countrywide in  
10 2006.

11 **SEC. 3. NURSING EDUCATION.**

12 Title VII of the Higher Education Act of 1965 (20  
13 U.S.C. 1133 et seq.) is amended by adding at the end  
14 the following new part:

15 **“PART E—ADDITIONAL CAPACITY FOR R.N. STU-**  
16 **DENTS OR GRADUATE-LEVEL NURSING STU-**  
17 **DENTS**

18 **“SEC. 771. ADDITIONAL CAPACITY FOR R.N. STUDENTS OR**  
19 **GRADUATE-LEVEL NURSING STUDENTS.**

20 “(a) AUTHORIZATION.—The Secretary shall award  
21 grants to institutions of higher education that offer—

22 “(1) a R.N. nursing program at the bacca-  
23 laurate or associate degree level to enable such pro-  
24 gram to expand the faculty and facilities of such

1 program to accommodate additional R.N. nursing  
2 program students; or

3 “(2) a graduate-level nursing program to ac-  
4 commodate advanced practice degrees for R.N.s or  
5 to accommodate students enrolled in a graduate-level  
6 nursing program to provide teachers of nursing stu-  
7 dents.

8 “(b) DETERMINATION OF NUMBER OF STUDENTS  
9 AND APPLICATION.—Each institution of higher education  
10 that offers a program described in subsection (a) that de-  
11 sires to receive a grant under this section shall—

12 “(1) determine for the 4 academic years pre-  
13 ceding the academic year for which the determina-  
14 tion is made the average number of matriculated  
15 nursing program students at such institution for  
16 such academic years; and

17 “(2) submit an application to the Secretary at  
18 such time, in such manner, and accompanied by  
19 such information as the Secretary may require, in-  
20 cluding the average number determined under para-  
21 graph (1).

22 “(c) GRANT AMOUNT; AWARD BASIS.—

23 “(1) GRANT AMOUNT.—For each academic year  
24 after academic year 2006–2007, the Secretary shall  
25 provide to each institution of higher education

1 awarded a grant under this section an amount that  
2 is equal to \$3,000 multiplied by the number of ma-  
3 triculated nursing program students at such institu-  
4 tion for such academic year that is more than the  
5 average number determined with respect to such in-  
6 stitution under subsection (b)(1). Such amount shall  
7 be used for the purposes described in subsection (a).

8 “(2) DISTRIBUTION OF GRANTS AMONG DIF-  
9 FERENT DEGREE PROGRAMS.—

10 “(A) IN GENERAL.—Subject to subpara-  
11 graph (B), from the funds available to award  
12 grants under this section for each fiscal year,  
13 the Secretary shall—

14 “(i) use 20 percent of such funds to  
15 award grants under this section to institu-  
16 tions of higher education for the purpose  
17 of accommodating advanced practice de-  
18 grees or students in graduate-level nursing  
19 programs;

20 “(ii) use 40 percent of such funds to  
21 award grants under this section to institu-  
22 tions of higher education for the purpose  
23 of expanding R.N. nursing programs at the  
24 baccalaureate degree level; and

1           “(iii) use 40 percent of such funds to  
2           award grants under this section to institu-  
3           tions of higher education for the purpose  
4           of expanding R.N. nursing programs at the  
5           associate degree level.

6           “(B) DISTRIBUTION OF EXCESS FUNDS.—  
7           If, for a fiscal year, funds described in clause  
8           (i), (ii), or (iii) of subparagraph (A) remain  
9           after the Secretary awards grants under this  
10          section to all applicants for the particular cat-  
11          egory of nursing programs described in such  
12          clause, the Secretary shall use equal amounts of  
13          the remaining funds to award grants under this  
14          section to applicants for the remaining cat-  
15          egories of nursing programs.

16          “(C) EQUITABLE DISTRIBUTION.—In  
17          awarding grants under this section, the Sec-  
18          retary shall, to the extent practicable, ensure—

19                 “(i) an equitable geographic distribu-  
20                 tion of the grants among the States; and

21                 “(ii) an equitable distribution of the  
22                 grants among different types of institu-  
23                 tions of higher education.

24          “(d) PROHIBITION.—

1           “(1) IN GENERAL.—Funds provided under this  
2 section may not be used for the construction of new  
3 facilities.

4           “(2) RULE OF CONSTRUCTION.—Nothing in  
5 paragraph (1) shall be construed to prohibit funds  
6 provided under this section from being used for the  
7 repair or renovation of facilities.

8           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated to carry out this section  
10 such sums as may be necessary.”.

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