

111TH CONGRESS
1ST SESSION

H. R. 1928

To increase home healthcare services, particularly for underserved and at-risk populations, by assisting visiting nurse associations and other non-profit home health agencies to improve training and workforce development for home healthcare nurses, promoting and facilitating academic-practice collaborations, and enhancing recruitment and retention of home healthcare nurses.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2009

Mr. KAGEN (for himself, Mr. TERRY, Mr. BOSWELL, Mrs. BONO MACK, Ms. BORDALLO, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To increase home healthcare services, particularly for underserved and at-risk populations, by assisting visiting nurse associations and other non-profit home health agencies to improve training and workforce development for home healthcare nurses, promoting and facilitating academic-practice collaborations, and enhancing recruitment and retention of home healthcare nurses.

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 “Home Healthcare
3 Nurse Promotion Act of 2009”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) There is a significant shortage of home
8 healthcare nurses, which is harming individuals’ ac-
9 cess to cost-effective home healthcare, particularly
10 among underserved and high-risk populations. A re-
11 cent survey found that 59 percent of visiting nurse
12 associations indicated they must decline patient re-
13 ferrals on a weekly basis.

14 (2) The increasing aging population, prevalence
15 of chronic disease, and strong preference by individ-
16 uals to live independently at home as long as pos-
17 sible will create an unprecedented demand for home-
18 based care during the next several decades. By
19 2020, home health utilization is projected to increase
20 by 36 percent.

21 (3) The demand for home healthcare nurses is
22 projected to increase by 109 percent by 2020, com-
23 pared to 37 percent for hospital nurses.

24 (4) An estimated 1,000,000 new registered
25 nurses will be needed by 2016 to fill new demand for
26 nurses and replace retirees.

1 (5) Visiting nurse associations have been shown
2 to lower costs for high-cost patient populations. Yet
3 because they provide a substantial amount of un-
4 compensated care, they are increasingly unable to
5 compete for nurses in a national nursing shortage
6 environment.

7 (6) A recent survey by the Visiting Nurses As-
8 sociation of America found that—

9 (A) staff nursing rate shortages average
10 around 10 percent;

11 (B) 81 percent of visiting nurse associa-
12 tions indicate that salary limitations are the
13 number one barrier to recruitment; and

14 (C) 22 percent of visiting nurse associa-
15 tions indicate that their local hospital offers sal-
16 aries \$10,000 greater than they are able to
17 offer.

18 (b) PURPOSE.—The purpose of this Act is to increase
19 home health care services, particularly for underserved
20 and at-risk populations, by—

21 (1) assisting visiting nurse associations and
22 other non-profit home health agencies to improve
23 training and workforce development for home
24 healthcare nurses;

1 (2) promoting and facilitating academic-practice
2 collaborations; and

3 (3) improving recruitment and retention of
4 home healthcare nurses.

5 **SEC. 3. DEFINING VISITING NURSE ASSOCIATION.**

6 Section 801 of the Public Health Service Act (42
7 U.S.C. 296) is amended by adding at the end the following
8 new paragraph:

9 “(16) VISITING NURSE ASSOCIATION.—The
10 term ‘visiting nurse association’ means a home
11 health agency that—

12 “(A) has a participation agreement in ef-
13 fect under section 1866 of the Social Security
14 Act;

15 “(B) is a nonprofit entity exempt from tax-
16 ation under section 501(c)(3) of the Internal
17 Revenue Code of 1986;

18 “(C) is organized and participating under
19 title XVIII of the Social Security Act as a pro-
20 vider of services separately from any other pro-
21 vider of services under such title; and

22 “(D) is governed by a board of directors
23 and all members of the board (excluding the
24 head of the agency in any case in which the

1 head of the agency is a board member) serve on
2 such board on an exclusively volunteer basis.”.

3 **SEC. 4. HOME HEALTH TRAINING AND LOAN FORGIVENESS**
4 **PROGRAMS.**

5 (a) HOME HEALTH NURSE TRAINING PROGRAMS.—
6 Part D of title VIII of the Public Health Service Act (42
7 U.S.C. 296p) is amended by adding at the end the fol-
8 lowing new sections:

9 **“SEC. 832. HOME HEALTH NURSE TRAINING PROGRAM**
10 **GRANTS.**

11 “(a) IN GENERAL.—The Secretary may make grants
12 under this section to visiting nurse associations for the
13 purpose of providing training in home health care to
14 nurses who—

15 “(1) are hired by a visiting nurse association to
16 provide home health care; and

17 “(2) have no recent nursing work experience in
18 home health care.

19 “(b) PRIORITY FOR GRANTS.—When awarding
20 grants under subsection (a), the Secretary shall give pri-
21 ority to visiting nurse associations that provide medically-
22 necessary home health care to individuals who request
23 home health services (as defined in section 1861(m) of the
24 Social Security Act) from such associations, regardless of
25 ability to pay.

1 **“SEC. 833. PILOT PROGRAM FOR HOME HEALTH TRAINING**
2 **AT SCHOOLS OF NURSING.**

3 “(a) IN GENERAL.—Not later than the last day of
4 the 90-day period beginning on the date of enactment of
5 this section, the Secretary shall establish a pilot program
6 to make grants to a number (to be determined by the Sec-
7 retary, but to be not less than five and not more than
8 10) of accredited schools of nursing that have entered into
9 partnerships with visiting nurse associations for the pur-
10 pose of developing and implementing a curriculum on
11 home health care at such schools.

12 “(b) APPLICATION.—In order to qualify for a grant
13 under subsection (a), a school of nursing must submit an
14 application to the Secretary—

15 “(1) demonstrating that the school has estab-
16 lished a partnership with a visiting nurse association
17 as required in subsection (a); and

18 “(2) containing—

19 “(A) a description of how the school and
20 the association will work collaboratively to de-
21 velop and implement a curriculum on home
22 health care for the students at the school;

23 “(B) a description of how academic-prac-
24 tice collaboration will occur, such as—

25 “(i) utilizing visiting nurse faculty
26 from the visiting nurse association; and

1 “(ii) promoting student nurse intern-
2 ships, mentoring opportunities, or other
3 collaborative activities to aid in the edu-
4 cation and practical home healthcare expe-
5 rience of nursing students; and

6 “(C) any other information required by the
7 Secretary.

8 “(c) **TERMINATION DATE.**—The pilot program under
9 subsection (a) shall terminate at the end of the 5-year pe-
10 riod beginning on the date of enactment of this section.

11 “(d) **REPORT.**—Not later than the last day of the
12 first calendar year following the date of enactment of this
13 section and the end of each succeeding calendar year, the
14 Secretary shall submit to Congress a report on the pilot
15 program under subsection (a).

16 **“SEC. 834. AUTHORIZATION OF APPROPRIATIONS.**

17 “There is authorized to be appropriated to carry out
18 this part (other than section 831) such sums as may be
19 necessary in each fiscal year.”.

20 **(b) LOAN FORGIVENESS FOR CERTAIN NURSES.—**

21 **(1) AMENDMENTS REGARDING SERVICE FOR**
22 **VISITING NURSE ASSOCIATIONS.**—Section 846 of
23 such Act (42 U.S.C. 297n) is amended—

1 (A) in subsection (a)(3), by inserting “or
2 for a visiting nurse association” after “critical
3 shortage of nurses”;

4 (B) in subsection (g)(2)—

5 (i) by striking “or health facility” and
6 inserting “, health facility, or visiting
7 nurse association”;

8 (ii) by striking “or the health facility”
9 and inserting “, the health facility, or the
10 visiting nurse association”; and

11 (iii) by striking “or facility” each
12 place it appears and inserting “, facility, or
13 association”; and

14 (C) in subsection (h)(5) by inserting “and
15 visiting nurse associations” before the semi-
16 colon at the end.

17 (2) TECHNICAL AMENDMENTS.—Section 846 of
18 such Act (42 U.S.C. 297n) is further amended—

19 (A) by striking subsection (f); and

20 (B) by redesignating subsections (g)
21 through (i) as subsections (f) through (h), re-
22 spectively.

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