

111TH CONGRESS  
1ST SESSION

# S. 628

To provide incentives to physicians to practice in rural and medically underserved communities.

---

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2009

Mr. CONRAD (for himself, Mr. BROWNBACK, Ms. COLLINS, Mr. JOHNSON, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To provide incentives to physicians to practice in rural and medically underserved communities.

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 “Conrad State 30 Im-  
5 provement Act”.

6 **SEC. 2. ELIMINATION OF SUNSET PROVISION OF CONRAD**  
7 **STATE 30 PROGRAM.**

8 Section 220(e) of the Immigration and Nationality  
9 Technical Corrections Act of 1994 (8 U.S.C. 1182 note)  
10 is amended by striking “and before September 30, 2009.”.

1 **SEC. 3. INCENTIVES FOR PHYSICIANS TO PRACTICE IN**  
2 **MEDICALLY UNDERSERVED COMMUNITIES.**

3 Section 214 of the Immigration and Nationality Act  
4 (8 U.S.C. 1184) is amended—

5 (1) in subsection (g), by adding at the end the  
6 following:

7 “(12) An alien physician described in section  
8 212(j)(2)(B) who entered the United States as a non-  
9 immigrant described in section 101(a)(15)(H)(i)(b) to  
10 pursue graduate medical education or training shall not  
11 be subject to the limitations described in paragraphs (1)  
12 and (4), provided that the period of authorized admission  
13 of such alien as an H-1B nonimmigrant may not extend  
14 beyond the 6-year period beginning on the date on which  
15 the alien receives the exemption described in subparagraph  
16 (A), if—

17 “(A) an interested State agency submits a re-  
18 quest for an exemption under section 214(l)(1)(B),  
19 but not 1 of the 10 waivers or exemptions described  
20 in subsection (l)(1)(D)(ii); and

21 “(B) the Secretary of State recommends that  
22 the alien be exempted from such limitations.”; and

23 (2) in subsection (l)—

24 (A) in paragraph (1)—

25 (i) by striking “the Attorney General  
26 shall not grant such waiver unless” and in-

1           serting “or for an exemption from the limi-  
2           tations described in paragraphs (1) and (4)  
3           of subsection (g) on behalf of an alien de-  
4           scribed in subsection (g)(12), the Secretary  
5           shall not grant such waiver or exemption  
6           unless”;

7           (ii) in subsection (A), by inserting “or  
8           exemption” before the semicolon at the  
9           end;

10          (iii) in subsection (B), by striking  
11          “would not cause the number of waivers  
12          allotted for that State for that fiscal year  
13          to exceed 30” and inserting “or exemption  
14          would not cause the total number of waiv-  
15          ers plus the total number of exemptions al-  
16          lotted for that State for that fiscal year to  
17          exceed 30, unless such allotment is in-  
18          creased pursuant to paragraph (4)”;

19          (iv) in subsection (C)(ii), by inserting  
20          “or exemption” after “waiver”; and

21          (v) in subsection (D)—

22                (I) in clause (ii), by striking  
23                “would not cause the number of the  
24                waivers” and inserting “or exemption

1 would not cause the total number of  
2 waivers and exemptions”; and

3 (II) in clause (iii), by inserting  
4 “or exemption” after “waiver”;

5 (B) in paragraph (2)(A), by striking “sta-  
6 tus of an alien” and inserting “status of an  
7 alien described in 212(e)(iii)”; and

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

9 “(4) If at least 90 percent of the total number of  
10 waivers and exemptions allotted under paragraph (1)(B)  
11 to States that were granted not fewer than 5 such waivers  
12 or exemptions, in the aggregate, during any 1 of the 3  
13 previous fiscal years are granted, on a nationwide basis,  
14 in the current fiscal year, the allotment of such waivers  
15 and exemptions in the current fiscal year shall be in-  
16 creased from 30 to 35 for each State. Such allotments  
17 shall be further increased in increments of 5 each time  
18 such 90 percent threshold of the adjusted allotment level  
19 is reached, on a nationwide basis. The allotment for each  
20 State shall reset to 30 at the beginning of each fiscal  
21 year.”.

1 **SEC. 4. RETAINING PHYSICIANS IN MEDICALLY UNDER-**  
2 **SERVED COMMUNITIES.**

3 Section 201(b)(1) of the Immigration and Nationality  
4 Act (8 U.S.C. 1151(b)(1)) is amended by adding at the  
5 end the following:

6 “(F) Alien physicians who have completed serv-  
7 ice requirements of a waiver or exemption requested  
8 by a State under section 214(l), including those  
9 alien physicians who completed such service before  
10 the date of the enactment of this subparagraph.”.

○