

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6650

To address health workforce shortages and disparities highlighted by the COVID–19 pandemic through additional funding for the National Health Service Corps and Nurse Corps.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2020

Ms. SCHAKOWSKY introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To address health workforce shortages and disparities highlighted by the COVID–19 pandemic through additional funding for the National Health Service Corps and Nurse Corps.

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 “Health Heroes 2020  
5 Act”.

1 **SEC. 2. ADDITIONAL FUNDING FOR THE SCHOLARSHIP**  
2 **PROGRAM OF THE NATIONAL HEALTH SERV-**  
3 **ICE CORPS.**

4 (a) **ADDITIONAL FUNDING.**—Section 10503(b) of the  
5 Patient Protection and Affordable Care Act (42 U.S.C.  
6 254b–2(b)) is amended—

7 (1) in paragraph (1)(F), by striking “and” at  
8 the end;

9 (2) in paragraph (2)(H), by striking the period  
10 and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(3) to be transferred to the Secretary of  
13 Health and Human Services—

14 “(A) \$25,000,000,000 for fiscal year 2020,  
15 to provide additional funding to carry out sub-  
16 section (i) of section 338A of the Public Health  
17 Service Act and the National Health Service  
18 Corps Loan Program under section 338B of  
19 such Act, of which—

20 “(i) \$15,000,000,000 shall be allo-  
21 cated to the program under section 338A;  
22 and

23 “(ii) \$10,000,000,000 shall be allo-  
24 cated to the program under such section  
25 338B; and

1           “(B) \$690,000,000 for each of fiscal years  
2           2021 through 2026, to provide additional  
3           amounts to carry out the National Health Serv-  
4           ice Corps Scholarship Program under section  
5           338A of the Public Health Service Act, the Na-  
6           tional Health Service Corps Loan Repayment  
7           Program under section 338B of such Act, and  
8           the reserve service program under section 338O  
9           of such Act.”.

10           (b) CRITERIA FOR USE OF ADDITIONAL FUNDING  
11           FOR IN-DEMAND PROFESSIONALS.—Section 338A of the  
12           Public Health Service Act (42 U.S.C. 254l) is amended  
13           by adding at the end the following:

14           “(i) Not less than 40 percent of the amounts made  
15           available to carry out this section under 10503(b)(3)(A)(i)  
16           of the Patient Protection and Affordable Care Act shall  
17           be allocated to scholarships under this section for eligible  
18           applicants who are members of groups that are historically  
19           underrepresented in health care professions, including ra-  
20           cial and ethnic minorities and individuals from low-income  
21           urban and rural communities. To carry out the require-  
22           ments of this subsection, the Secretary may coordinate  
23           with entities receiving funding under section 739 to iden-  
24           tify, recruit, and select individuals to receive such scholar-  
25           ships.”.

1 (c) NATIONAL HEALTH SERVICE CORPS RESERVE  
2 DEMONSTRATION PROJECT.—

3 (1) IN GENERAL.—Subpart III of part D of  
4 title III of the Public Health Service Act (42 U.S.C.  
5 254l et seq.) is amended by adding at the end the  
6 following:

7 **“SEC. 3380. NATIONAL HEALTH SERVICE CORPS RESERVE**  
8 **SERVICE DEMONSTRATION PROJECT.**

9 “(a) IN GENERAL.—From the amounts made avail-  
10 able under section 10503(b)(3)(B) of the Patient Protec-  
11 tion and Affordable Care Act for each of fiscal years 2021  
12 through 2024, the Secretary shall, to the extent permitted  
13 by, and consistent with, the requirements of applicable  
14 State law, use such sums as the Secretary determines nec-  
15 essary to establish, as a demonstration project, a National  
16 Health Service Corps Reserve Service (referred to in this  
17 section as the ‘reserve service’) under which a qualified  
18 individual agrees to engage in service for a period specified  
19 in a contract under this section in such reserve service  
20 under this section.

21 “(b) RESERVE SERVICE REQUIREMENTS.—An indi-  
22 vidual whose obligated service under a contract under sec-  
23 tion 338A is provided, pursuant to a contract under sub-  
24 section (a), as reserve service, and any other participating  
25 individual described in subparagraph (B) of subsection

1 (c)(2) may practice a health profession in any private ca-  
2 pacity, subject to the following requirements:

3           “(1) In the event of a public health emergency  
4 declared under section 319, a major disaster de-  
5 clared by the President under section 401 of the  
6 Robert T. Stafford Disaster Relief and Emergency  
7 Assistance Act, or an emergency declared by the  
8 President under section 501 of the Robert T. Staf-  
9 ford Disaster Relief and Emergency Assistance Act  
10 or a national emergency declared by the President  
11 under the National Emergencies Act, for the dura-  
12 tion of such emergency or disaster, such individual  
13 shall be subject to serve in such capacity as the Sec-  
14 retary shall determine appropriate to carry out the  
15 purposes of this section, and in accordance with the  
16 Secretary’s plan to increase surge capacity in re-  
17 sponse to public health emergencies or disasters.  
18 Such service may be furnished in coordination with  
19 the Corps described in section 204, a State, terri-  
20 torial, or local public health department, or through  
21 the process described in section 319(e).

22           “(2) Not less frequently than 2 days each  
23 month, and for a total of not fewer than 30 days  
24 each year, as directed by the Secretary, such indi-  
25 vidual shall—

1           “(A) conduct trainings on public health  
2           preparedness and response activities, which may  
3           be in coordination with the State, territorial, or  
4           local health department; or

5           “(B) furnish health care services to low-in-  
6           come individuals in a health professional short-  
7           age area (as defined under section 332(a)), a  
8           medically underserved population (as defined  
9           under section 330(b)(3)), or a medically under-  
10          served area or area at high risk of a public  
11          health emergency as designated by the Sec-  
12          retary.

13          “(c) QUALIFIED INDIVIDUALS.—An individual may  
14          be eligible to participate in the reserve service under this  
15          section if such individual meets one of the following cri-  
16          teria:

17                 “(1) An individual participating in the Scholar-  
18                 ship Program under section 338A may satisfy the  
19                 obligated service requirement under such program if  
20                 the individual’s contract provides for such service.

21                 “(2) An individual who participated in the Loan  
22                 Repayment Program under section 338B and who  
23                 satisfied the obligated service requirements under  
24                 such program, in accordance with the individual’s  
25                 contract.

1 “(3) An individual who—

2 “(A) did not participate in the Scholarship  
3 Program under section 338A or the Loan Re-  
4 payment Program under section 338B;

5 “(B) has a graduate degree in medicine,  
6 osteopathic medicine, dentistry, or another  
7 health profession, or an appropriate graduate  
8 degree from a program of behavioral or mental  
9 health, or is certified as a nurse midwife, nurse  
10 practitioner, or physician assistant;

11 “(C) holds a license issued by a State, the  
12 District of Columbia, or a territory to practice  
13 the applicable profession;

14 “(D) is otherwise qualified to practice, and  
15 has experience practicing, in a profession—

16 “(i) described in section 338B(a)(1);

17 or

18 “(ii) another high-demand health care  
19 field or specialty that the Secretary identi-  
20 fies, through a process conducted every 3  
21 years, as a field or specialty of national  
22 priority, based on relative workforce short-  
23 ages, expected workforce changes, or pro-  
24 jected changes in patient needs; and

1           “(E) satisfies any other eligibility or appli-  
2           cation requirements specified by the Secretary  
3           in order to demonstrate the individual’s quali-  
4           fications.

5           “(d) RESERVE SERVICE PLAN.—In carrying out this  
6 section, the Secretary shall establish, in coordination with  
7 the Surgeon General and State, tribal, and local health  
8 departments, an action plan for the service commitments,  
9 priority areas, coordination efforts, training requirements,  
10 and such other considerations as the Secretary determines  
11 appropriate, to ensure the complementary, additive capac-  
12 ity of such individuals providing reserve service.

13           “(e) CONTRACTS FOR CERTAIN PARTICIPATING INDI-  
14 VIDUALS.—An individual described in subparagraph (B)  
15 of subsection (c)(2) who is participating in the reserve  
16 service program under this section shall receive loan re-  
17 payments in an amount equal to 50 percent of the amount  
18 of payments that would be required with respect to a par-  
19 ticipant of the same clinical profession in the Loan Repay-  
20 ment Program pursuant to a contract entered into at the  
21 same time under section 338B(g), in a manner similar to  
22 the manner in which payments are made under such sec-  
23 tion, pursuant to the terms of a contract between the Sec-  
24 retary and such individual. The Secretary shall establish  
25 a system of contracting for purposes of this subsection



1 which shall be similar to the contract requirements and  
2 terms under subsections (c), (d), and (f) of section 338B.

3 “(f) REPORT.—Not later than 5 years after the date  
4 of enactment of this section, the Secretary shall submit  
5 to the Committee on Health, Education, Labor, and Pen-  
6 sions of the Senate and the Committee on Energy and  
7 Commerce of the House of Representatives a report that  
8 evaluates the demonstration project established under this  
9 section, including—

10 “(1) the effects of such program on health care  
11 access, public health emergency response capacity,  
12 and the provider workforce pipeline; and

13 “(2) any other considerations as the Secretary  
14 determines appropriate.”.

15 (2) CONFORMING AMENDMENTS.—

16 (A) SCHOLARSHIP PROGRAM.—Section  
17 338A of the Public Health Service Act (42  
18 U.S.C. 254l) is amended—

19 (i) in subsection (b)(2), by inserting  
20 “, or be eligible for, or hold, an appoint-  
21 ment in the reserve service under section  
22 3380” before the semicolon;

23 (ii) in subsection (c)(2)(B), by insert-  
24 ing “or through reserve service under an

1 agreement under section 3380” after “sec-  
2 tion 338D”; and

3 (iii) in the flush text of subsection  
4 (f)(1)(B)(v), by inserting “, including serv-  
5 ice under the reserve service in accordance  
6 with section 3380, as applicable” before  
7 the semicolon at the end.

8 (B) OBLIGATED SERVICE.—Section 338C  
9 of the Public Health Service Act (42 U.S.C.  
10 254m) is amended—

11 (i) in subsection (a), by inserting “or  
12 3380” after “section 338D”; and

13 (ii) in subsection (c)—

14 (I) in paragraph (1), by striking  
15 “, or” and inserting a semicolon;

16 (II) in paragraph (2), by striking  
17 “agreement,” and inserting “agree-  
18 ment; or”; and

19 (III) by inserting after paragraph  
20 (2) the following:

21 “(3) in the case of an individual who enters into  
22 an agreement with the Secretary under section  
23 3380, on the date specified in such agreement,”.

1 **SEC. 3. FUNDING FOR THE NURSE CORPS SCHOLARSHIP**  
2 **AND LOAN REPAYMENT PROGRAM.**

3 (a) FUNDING.—There are hereby appropriated, out  
4 of amounts in the Treasury not otherwise appropriated,  
5 \$5,000,000,000 for fiscal year 2020, for purposes of car-  
6 rying out section 846 of the Public Health Service Act  
7 (42 U.S.C. 297n), to remain available until expended, ex-  
8 cept that—

9 (1) of the amount appropriated under this  
10 heading and made available for scholarships, not less  
11 than 40 percent shall be allocated to scholarships for  
12 eligible applicants who are members of groups that  
13 are historically underrepresented in health care pro-  
14 fessions, including racial and ethnic minorities and  
15 individuals from low-income urban and rural com-  
16 munities; and

17 (2) to carry out the requirements of paragraph  
18 (1), the Secretary may coordinate with entities re-  
19 ceiving funding under section 821 to identify, re-  
20 cruit, and select individuals to receive such scholar-  
21 ships.

22 (b) EMERGENCY DESIGNATION.—

23 (1) IN GENERAL.—The amounts provided by  
24 this section are designated as an emergency require-  
25 ment pursuant to section 4(g) of the Statutory Pay-  
26 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

1           (2) DESIGNATION IN SENATE.—In the Senate,  
2           this section is designated as an emergency require-  
3           ment pursuant to section 4112(a) of H. Con. Res.  
4           71 (115th Congress), the concurrent resolution on  
5           the budget for fiscal year 2018.

6   **SEC. 4. FLEXIBILITY FOR MEMBERS OF NATIONAL HEALTH**  
7                           **SERVICE CORPS DURING EMERGENCY PERI-**  
8                           **ODS.**

9           Section 333 of the Public Health Service Act (42  
10   U.S.C. 254f) is amended by adding at the end the fol-  
11   lowing:

12           “(f) During any public health emergency declared by  
13   the Secretary under section 319, the Secretary may, not-  
14   withstanding any other provision of this section, assign  
15   Corps members, with the voluntary agreement of such  
16   Corps members, to provide such health services at such  
17   places, and for such number of hours, as the Secretary  
18   determines necessary to respond to such emergency, pro-  
19   vided that the total number of hours required are the same  
20   as were required of such members prior to the change of  
21   assignment.”.

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