

Calendar No. 69

117TH CONGRESS
1ST SESSION

S. 610

To address behavioral health and well-being among health care professionals.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2021

Mr. KAINE (for himself, Mr. YOUNG, Mr. REED, Mr. CASSIDY, Mr. KING, Mrs. CAPITO, Ms. BALDWIN, Ms. COLLINS, Mr. WARNER, Ms. SMITH, Ms. ROSEN, Mrs. GILLIBRAND, Ms. SINEMA, Ms. STABENOW, Mr. TESTER, Mr. VAN HOLLEN, Mr. KELLY, Mr. PETERS, Ms. MURKOWSKI, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MARSHALL, Mr. BOOZMAN, Mr. BROWN, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JUNE 8, 2021

Reported by Mrs. MURRAY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To address behavioral health and well-being among health care professionals.

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 “Dr. Lorna Breen
3 Health Care Provider Protection Act”.

4 **SEC. 2. BEHAVIORAL HEALTH AND WELL-BEING TRAINING**
5 **FOR HEALTH CARE PROFESSIONALS.**

6 Subpart 1 of part E of title VII of the Public Health
7 Service Act (42 U.S.C. 294n et seq.) is amended by adding
8 at the end the following:

9 **“SEC. 764. BEHAVIORAL HEALTH AND WELL-BEING TRAIN-**
10 **ING FOR HEALTH CARE PROFESSIONALS.**

11 “(a) **GRANT PROGRAM.**—The Secretary shall estab-
12 lish a program to award grants to health professions
13 schools, academic health centers, State or local govern-
14 ments, or other appropriate public or private nonprofit en-
15 tities for funding and participation in health professions
16 and nursing training activities for the training of health
17 care students, residents, or professionals in evidence-in-
18 formed strategies to reduce and prevent suicide, burnout,
19 behavioral health conditions, including mental health con-
20 ditions and substance use disorders, among health care
21 professionals, and in evidence-informed strategies to im-
22 prove health care professionals’ well-being and job satis-
23 faction.

24 “(b) **ELIGIBILITY.**—To be eligible for a grant under
25 subsection (a), an entity described in such subsection shall
26 submit to the Secretary an application at such time, in

1 such manner, and containing such information as the Sec-
2 retary may require.

3 “(e) REPORTING REQUIREMENT.—Each entity
4 awarded a grant under this section shall periodically sub-
5 mit to the Secretary a report evaluating the activities sup-
6 ported by the grant.

7 “(d) BEST PRACTICES.—The Secretary may identify
8 and disseminate evidence-informed best practices for re-
9 ducing and preventing suicide and burnout among health
10 care professionals, and training health care professionals
11 in appropriate strategies and promoting their mental and
12 behavioral health and job satisfaction. Such best practices
13 shall include specific recommendations for reducing and
14 preventing suicide, burnout, and other mental and behav-
15 ioral health concerns among health care professionals dur-
16 ing or in the aftermath of a pandemic, natural disaster,
17 or other crisis.

18 “(e) AUTHORIZATION OF APPROPRIATIONS.—To
19 carry out this section, there are authorized to be appro-
20 priated such sums as may be necessary for each of fiscal
21 years 2022 through 2026.”.

1 **SEC. 3. EDUCATION AND AWARENESS CAMPAIGN ENCOUR-**
2 **AGING USE OF MENTAL AND BEHAVIORAL**
3 **HEALTH SERVICES BY HEALTH CARE PRO-**
4 **FSSIONALS.**

5 (a) **IN GENERAL.**—The Secretary of Health and
6 Human Services (referred to in this section as the “Sec-
7 retary”), acting through the Director of the Centers for
8 Disease Control and Prevention, and in consultation with
9 the medical professional community, shall establish a na-
10 tional evidence-based education and awareness campaign
11 targeting health care professionals to encourage such pro-
12 fessionals to seek support and treatment for their own
13 mental and behavioral health concerns; help such profes-
14 sionals identify risk factors in themselves and others and
15 learn how best to respond to such risks, with the goal of
16 reducing or preventing suicide, burnout, and mental and
17 behavioral health conditions; and to address stigma associ-
18 ated with seeking mental and behavioral health support
19 and treatment.

20 (b) **REPORTING.**—Not later than 2 years after the
21 date of enactment of this Act, the Secretary shall provide
22 an update on the campaign’s progress, including a plan
23 for evaluation that includes quantitative and qualitative
24 metrics, and a media and dissemination plan, to the Com-
25 mittee on Health, Education, Labor, and Pensions of the

1 Senate and the Committee on Energy and Commerce of
2 the House of Representatives:

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$10,000,000 for each of fiscal years 2022 through 2026.

6 **SEC. 4. GRANTS FOR HEALTH CARE PROVIDERS TO PRO-**
7 **MOTE MENTAL AND BEHAVIORAL HEALTH**
8 **AMONG THEIR HEALTH PROFESSIONAL**
9 **WORKFORCE.**

10 Subpart 1 of part E of title VII of the Public Health
11 Service Act (42 U.S.C. 294n et seq.), as amended by sec-
12 tion 2, is further amended by adding at the end the fol-
13 lowing:

14 **“SEC. 764A. GRANTS FOR HEALTH CARE PROVIDERS TO**
15 **PROMOTE MENTAL AND BEHAVIORAL**
16 **HEALTH AMONG THEIR HEALTH PROFES-**
17 **SIONAL WORKFORCE.**

18 “(a) IN GENERAL.—The Secretary shall award
19 grants to health care providers, including medical profes-
20 sional associations, to establish or expand evidence-in-
21 formed programs dedicated to promoting mental and be-
22 havioral health among their employees (including contrac-
23 tors) or members who are working on the front lines of
24 the SARS-CoV-2 pandemic.

1 “(b) USE OF GRANT FUNDS.—A health care provider
2 awarded a grant under subsection (a) shall use amounts
3 under the grant to implement a new program or protocol
4 or expand an existing program or protocol to promote
5 mental and behavioral health among employees (including
6 contractors) or members who have previously treated or
7 otherwise served, or are currently treating or otherwise
8 serving, patients diagnosed with COVID–19, which may
9 include any of the following:

10 “(1) Educating employees, including contrac-
11 tors, or membership about risk factors for and signs
12 of self-harm and suicide and mental and behavioral
13 health conditions in accordance with evidence-based
14 practices and standards.

15 “(2) Establishing new or enhancing existing
16 evidence-based programs or protocols for preventing
17 mental and behavioral health conditions, suicide, or
18 self-harm.

19 “(3) Establishing new or enhancing existing
20 peer-support programs among employees (including
21 contractors) or members.

22 “(4) Mental and behavioral health treatment,
23 follow up services and care, or referral for such serv-
24 ices identified as appropriate as a result of the

1 screenings or prevention programs and protocol de-
2 scribed in paragraphs (1) and (2).

3 ~~“(e) GRANT TERMS.—A grant awarded under sub-~~
4 ~~section (a)—~~

5 ~~“(1) shall be for a period of 3 years; and~~

6 ~~“(2) may be renewed subject to the require-~~
7 ~~ments of this section.~~

8 ~~“(d) APPLICATION SUBMISSION.—A health care pro-~~
9 ~~vider seeking a grant under subsection (a) shall submit~~
10 ~~an application to the Secretary at such time, in such man-~~
11 ~~ner, and accompanied by such information as the Sec-~~
12 ~~retary may require.~~

13 ~~“(e) PRIORITY.—Priority shall be given to applica-~~
14 ~~tions from health care providers located in current or~~
15 ~~former COVID-19 hotspots, as determined by the Sec-~~
16 ~~retary or health care providers which have diagnosed or~~
17 ~~treated a higher share of COVID-19 patients, as deter-~~
18 ~~mined by the Secretary.~~

19 ~~“(f) REPORTING.—A health care provider awarded a~~
20 ~~grant under subsection (a) shall periodically submit to the~~
21 ~~Secretary a report evaluating the activities supported by~~
22 ~~the grant.~~

23 ~~“(g) AUTHORIZATION OF APPROPRIATIONS.—To~~
24 ~~carry out this section, there is authorized to be appro-~~

1 priated \$50,000,000 for the period of fiscal years 2022
 2 through 2024.”.

3 **SEC. 5. COMPREHENSIVE STUDY ON HEALTH CARE PRO-**
 4 **FESSIONAL MENTAL AND BEHAVIORAL**
 5 **HEALTH AND BURNOUT.**

6 Subpart 1 of part E of title VII of the Public Health
 7 Service Act (42 U.S.C. 294n et seq.), as amended by sec-
 8 tion 4, is further amended by adding at the end the fol-
 9 lowing:

10 **“SEC. 764B. COMPREHENSIVE STUDY ON HEALTH CARE**
 11 **PROFESSIONAL MENTAL AND BEHAVIORAL**
 12 **HEALTH AND BURNOUT.**

13 “(a) **IN GENERAL.**—The Secretary, in consultation
 14 with stakeholders, shall conduct a review and submit rec-
 15 ommendations to Congress on policies to improve health
 16 care professional mental health and prevent burnout.

17 “(b) **CONSIDERATIONS.**—The study under subsection
 18 (a) shall focus on identifying—

19 “(1) the factors that contribute to mental and
 20 behavioral health conditions and burnout among
 21 health care professionals;

22 “(2) the barriers to seeking and accessing men-
 23 tal and behavioral health treatment for health care
 24 professionals, including stigma and concerns about
 25 licensing and credentialing;

1 “(3) the implications of poor mental and behav-
2 ioral health and burnout among health care profes-
3 sionals for the health care system, the health care
4 workforce, and patient outcomes;

5 “(4) the impact of the SARS-CoV-2 pandemic
6 on the mental and behavioral health of health care
7 professionals and related preparedness strategies for
8 future health emergencies;

9 “(5) the factors that promote mental and be-
10 havioral health and resiliency among health care
11 professionals, including programs or protocols that
12 strengthen mental and behavioral health or prevent
13 burnout among health care professionals; and

14 “(6) the efficacy of health professional training
15 programs that promote resiliency and improve men-
16 tal health.

17 “(e) RECOMMENDATIONS.—The study required under
18 subsection (a) shall include recommendations related to—

19 “(1) improving mental and behavioral health
20 and preventing burnout among health care profes-
21 sionals;

22 “(2) removing barriers to mental and behavioral
23 health care for health care professionals; and

1 ~~“(3)~~ strategies to promote resiliency among
 2 health care professionals and other employees and
 3 ~~contractors in health care settings.~~

4 ~~“(d) COMPLETION.—~~The Secretary shall ensure that
 5 the study under subsection (a) is completed and submitted
 6 to Congress and made publicly available not later than ~~3~~
 7 years after the date of enactment of this section.

8 ~~“(e) AUTHORIZATION OF APPROPRIATIONS.—~~There
 9 are authorized to be appropriated to carry out this section
 10 ~~\$3,000,000~~ for the period of fiscal years 2022 through
 11 2024.”.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Dr. Lorna Breen Health*
 14 *Care Provider Protection Act”.*

15 **SEC. 2. DISSEMINATION OF BEST PRACTICES.**

16 *The Secretary of Health and Human Services (referred*
 17 *to in this Act as the “Secretary”) shall identify and dis-*
 18 *seminate evidence-based or evidence-informed best practices*
 19 *for preventing suicide and improving mental health and re-*
 20 *siliency among health care professionals, and for training*
 21 *health care professionals in appropriate strategies to pro-*
 22 *mote their mental health. Such best practices shall include*
 23 *recommendations related to preventing suicide and improv-*
 24 *ing mental health and resiliency among health care profes-*
 25 *sionals.*

1 **SEC. 3. EDUCATION AND AWARENESS INITIATIVE ENCOUR-**
2 **AGING USE OF MENTAL HEALTH AND SUB-**
3 **STANCE USE DISORDER SERVICES BY**
4 **HEALTH CARE PROFESSIONALS.**

5 (a) *IN GENERAL.*—*The Secretary, in consultation with*
6 *relevant stakeholders, including medical professional asso-*
7 *ciations, shall establish a national evidence-based or evi-*
8 *dence-informed education and awareness initiative to en-*
9 *courage health care professionals to seek support and care*
10 *for their mental health or substance use concerns, to help*
11 *such professionals identify risk factors associated with sui-*
12 *cide and mental health conditions, and to help such profes-*
13 *sionals learn how best to respond to such risks, with the*
14 *goal of preventing suicide, mental health conditions, and*
15 *substance use disorders, and to address stigma associated*
16 *with seeking mental health and substance use disorder serv-*
17 *ices.*

18 (b) *REPORTING.*—*Not later than 2 years after the date*
19 *of enactment of this Act, the Secretary shall provide to the*
20 *Committee on Health, Education, Labor, and Pensions of*
21 *the Senate and the Committee on Energy and Commerce*
22 *of the House of Representatives an update on the activities*
23 *and outcomes of the initiative under subsection (a), includ-*
24 *ing a description of quantitative and qualitative metrics*
25 *used to evaluate such activities and outcomes.*

1 (c) *AUTHORIZATION OF APPROPRIATIONS.—To carry*
 2 *out this section, there are authorized to be appropriated*
 3 *\$10,000,000 for each of fiscal years 2022 through 2024.*

4 **SEC. 4. GRANTS TO PROMOTE MENTAL HEALTH AMONG**
 5 **THE HEALTH PROFESSIONAL WORKFORCE.**

6 *Subpart I of part E of title VII of the Public Health*
 7 *Service Act (42 U.S.C. 294n et seq.) is amended by adding*
 8 *at the end the following:*

9 **“SEC. 764. GRANTS TO PROMOTE MENTAL HEALTH AMONG**
 10 **THE HEALTH PROFESSIONAL WORKFORCE.**

11 “(a) *IN GENERAL.—The Secretary shall award grants*
 12 *related to improving mental health and resiliency among*
 13 *health care professionals.*

14 “(b) *GRANTS TO PROMOTE MENTAL HEALTH AMONG*
 15 *HEALTH CARE PROFESSIONALS.—*

16 “(1) *IN GENERAL.—The Secretary shall award*
 17 *grants to health care entities, including entities that*
 18 *provide health care services, such as hospitals, com-*
 19 *munity health centers, and rural health clinics, or to*
 20 *medical professional associations, to establish or en-*
 21 *hance evidence-based or evidence-informed programs*
 22 *dedicated to improving mental health and resiliency*
 23 *for health care professionals.*

24 “(2) *USE OF FUNDS.—An eligible entity receiv-*
 25 *ing a grant under this subsection shall use amounts*

1 *under the grant to implement a new program or en-*
2 *hance an existing program to promote mental health*
3 *among health care professionals, which may in-*
4 *clude—*

5 *“(A) improving awareness among health*
6 *care professionals about risk factors for, and*
7 *signs of, suicide and mental health or substance*
8 *use disorders, in accordance with evidence-based*
9 *or evidence-informed practices;*

10 *“(B) establishing new, or enhancing exist-*
11 *ing, evidence-based or evidence-informed pro-*
12 *grams for preventing suicide and improving*
13 *mental health and resiliency among health care*
14 *professionals;*

15 *“(C) establishing new, or enhancing exist-*
16 *ing, peer-support programs among health care*
17 *professionals; or*

18 *“(D) providing mental health care, follow-*
19 *up services and care, or referral for such services*
20 *and care, as appropriate.*

21 *“(3) PRIORITY.—In awarding grants under this*
22 *subsection, the Secretary shall give priority to eligible*
23 *entities in health professional shortage areas or rural*
24 *areas.*

1 “(c) *TRAINING GRANTS.*—*The Secretary may establish*
2 *a program to award grants to health professions schools,*
3 *academic health centers, State or local governments, Indian*
4 *Tribes or Tribal organizations, or other appropriate public*
5 *or private nonprofit entities (or consortia of entities, in-*
6 *cluding entities promoting multidisciplinary approaches)*
7 *to support the training of health care students, residents,*
8 *or health care professionals in evidence-based or evidence-*
9 *informed strategies to address mental and substance use dis-*
10 *orders and improve mental health and resiliency among*
11 *health care professionals.*

12 “(d) *GRANT TERMS.*—*A grant awarded under sub-*
13 *section (b) or (c) shall be for a period of 3 years.*

14 “(e) *APPLICATION SUBMISSION.*—*An entity seeking a*
15 *grant under subsection (b) or (c) shall submit an applica-*
16 *tion to the Secretary at such time, in such manner, and*
17 *accompanied by such information as the Secretary may re-*
18 *quire.*

19 “(f) *REPORTING.*—*An entity awarded a grant under*
20 *subsection (b) or (c) shall periodically submit to the Sec-*
21 *retary a report evaluating the activities supported by the*
22 *grant.*

23 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—*To carry*
24 *out this section and section 5 of the Dr. Lorna Breen Health*
25 *Care Provider Protection Act, there are authorized to be ap-*

1 *appropriated \$35,000,000 for each of fiscal years 2022 through*
2 *2024.”.*

3 **SEC. 5. REVIEW WITH RESPECT TO HEALTH CARE PROFES-**
4 **SIONAL MENTAL HEALTH AND RESILIENCY.**

5 *(a) IN GENERAL.—The Secretary, in consultation with*
6 *relevant stakeholders, shall conduct a review and, not later*
7 *than 3 years after the date of enactment of this Act, submit*
8 *a report to Congress related to improving health care profes-*
9 *sional mental health and resiliency and the outcomes of pro-*
10 *grams authorized under this Act.*

11 *(b) CONSIDERATIONS.—The review under subsection*
12 *(a) shall take into account—*

13 *(1) factors that contribute to mental health con-*
14 *ditions;*

15 *(2) barriers to seeking and accessing mental*
16 *health care for health care professionals, which may*
17 *include consideration of stigma and licensing con-*
18 *cerns, and actions taken by State licensing boards,*
19 *schools for health professionals, health care profes-*
20 *sional training associations, hospital associations, or*
21 *other organizations, as appropriate, to address such*
22 *barriers;*

23 *(3) the impact of the COVID–19 public health*
24 *emergency on the mental health of health care profes-*

1 *sionals and lessons learned for future public health*
2 *emergencies;*

3 *(4) factors that promote mental health and resil-*
4 *iency among health care professionals, including pro-*
5 *grams or strategies to strengthen mental health and*
6 *resiliency among health care professionals; and*

7 *(5) the efficacy of health professional training*
8 *programs that promote resiliency and improve mental*
9 *health.*

10 *(c) RECOMMENDATIONS.—The review under subsection*
11 *(a), as appropriate, shall identify best practices related to,*
12 *and make recommendations to address—*

13 *(1) improving mental health and resiliency*
14 *among health care professionals;*

15 *(2) removing barriers to mental health care for*
16 *health care professionals; and*

17 *(3) strategies to promote resiliency among health*
18 *care professionals in health care settings.*

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