

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

# H. R. 5574

To amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2006

Mr. DEAL of Georgia (for himself, Mr. BROWN of Ohio, Mr. MARKEY, Mr. GENE GREEN of Texas, Ms. BALDWIN, Mr. PITTS, Mr. RUSH, Mr. RADANOVICH, Mr. SHIMKUS, Mr. BURGESS, Mr. BASS, Mrs. CAPPS, Mr. MURPHY, Mr. INSLEE, Mr. PALLONE, Mr. GILLMOR, Mrs. BONO, Mr. UPTON, Mr. HALL, Mr. WAXMAN, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

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 "Children's Hospital  
5 GME Support Reauthorization Act of 2006".

1 **SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN'S HOS-**  
2 **PITALS THAT OPERATE GRADUATE MEDICAL**  
3 **EDUCATION PROGRAMS.**

4 (a) IN GENERAL.—Section 340E of the Public  
5 Health Service Act (42 U.S.C. 256e) is amended—

6 (1) in subsection (a), by inserting “and each of  
7 fiscal years 2007 through 2011” after “for each of  
8 fiscal years 2000 through 2005”;

9 (2) in subsection (f)(1)(A)—

10 (A) in clause (ii), by striking “and” at the  
11 end;

12 (B) in clause (iii), by striking the period at  
13 the end and inserting “; and”; and

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

15 “(iv) for each of fiscal years 2007  
16 through 2011, \$100,000,000.”; and

17 (3) in subsection (f)(2)—

18 (A) in the matter before subparagraph (A),  
19 by striking “subsection (b)(1)(A)” and inserting  
20 “(b)(1)(B)”;

21 (B) in subparagraph (B), by striking  
22 “and” at the end;

23 (C) in subparagraph (C), by striking the  
24 period at the end and inserting “; and”; and

25 (D) by adding at the end the following:

1                   “(D) for each of fiscal years 2007 through  
2                   2011, \$200,000,000.”.

3           (b) REDUCTION IN PAYMENTS FOR FAILURE TO  
4 FILE ANNUAL REPORT.—Subsection (b) of section 340E  
5 of the Public Health Service Act (42 U.S.C. 256e) is  
6 amended—

7           (1) in paragraph (1), in the matter before sub-  
8 paragraph (A), by striking “paragraph (2)” insert-  
9 ing “paragraphs (2) and (3)”; and

10           (2) by adding at the end the following:

11           “(3) ANNUAL REPORTING REQUIRED.—

12                   “(A) REDUCTION IN PAYMENT FOR FAIL-  
13 URE TO REPORT.—

14                           “(i) IN GENERAL.—The amount pay-  
15 able under this section to a children’s hos-  
16 pital for a fiscal year (beginning with fiscal  
17 year 2008 and after taking into account  
18 paragraph (2)) shall be reduced by 25 per-  
19 cent if the Secretary determines that—

20                                   “(I) the hospital has failed to  
21 provide the Secretary, as an adden-  
22 dum to the hospital’s application  
23 under this section for such fiscal year,  
24 the report required under subpara-

1 graph (B) for the previous fiscal year;  
2 or

3 “(II) such report fails to provide  
4 the information required under any  
5 clause of such subparagraph.

6 “(ii) NOTICE AND OPPORTUNITY TO  
7 PROVIDE MISSING INFORMATION.—Before  
8 imposing a reduction under clause (i) on  
9 the basis of a hospital’s failure to provide  
10 information described in clause (i)(II), the  
11 Secretary shall provide notice to the hos-  
12 pital of such failure and the Secretary’s in-  
13 tention to impose such reduction and shall  
14 provide the hospital with the opportunity  
15 to provide the required information within  
16 a period of 30 days beginning on the date  
17 of such notice. If the hospital provides  
18 such information within such period, no re-  
19 duction shall be made under clause (i) on  
20 the basis of the previous failure to provide  
21 such information.

22 “(B) ANNUAL REPORT.—The report re-  
23 quired under this subparagraph for a children’s  
24 hospital for a fiscal year is a report that in-  
25 cludes (in a form and manner specified by the

1 Secretary) the following information relating to  
2 the residency training program sponsored by  
3 the hospital and supported under this section  
4 for the residency academic year completed im-  
5 mediately prior to such fiscal year:

6 “(i) The types of resident training  
7 programs that the hospital sponsored, such  
8 as general pediatrics, internal medicine/pe-  
9 diatrics, and pediatric subspecialties, in-  
10 cluding both medical subspecialties cer-  
11 tified by the American Board of Pediatrics  
12 (such as pediatric gastroenterology) and  
13 non-medical subspecialties approved by  
14 other medical certification boards (such as  
15 pediatric surgery).

16 “(ii) The number of full-time equiva-  
17 lent resident training positions in each  
18 training program sponsored by the hos-  
19 pital, the number of such positions the  
20 hospital recruited to fill, and the number  
21 of such positions filled.

22 “(iii) The types of training that the  
23 hospital provided for residents in its own  
24 sponsored programs related to the health  
25 care needs of different populations, such as

1 children who are underserved for reasons  
2 of family income or geographic location, in-  
3 cluding rural, exurban, and urban areas.

4 “(iv) The changes in residency train-  
5 ing the hospital has made during such resi-  
6 dency academic year (except that the first  
7 report submitted by the hospital under this  
8 subparagraph shall be for such changes  
9 since the first year in which the hospital  
10 received payment under this section), in-  
11 cluding—

12 “(I) changes in curricula and  
13 types of training programs, and bene-  
14 fits that have resulted from such  
15 changes; and

16 “(II) changes for purposes of  
17 training the residents in its own spon-  
18 sored programs in the measurement  
19 and improvement of the quality and  
20 safety of patient care.

21 “(v) The numbers of residents who,  
22 upon completion of a hospital’s sponsored  
23 training program at the end of such resi-  
24 dency academic year, care for children  
25 within the borders of the service area of

1 the hospital or within the borders of the  
2 State in which the hospital is located. Such  
3 numbers shall be disaggregated with re-  
4 spect to residents who completed initial  
5 board certification, subspecialty  
6 residencies, and dental residencies.

7 “(C) REPORT TO CONGRESS.—Not later  
8 than the end of fiscal year 2011, the Secretary,  
9 acting through the Administrator of the Health  
10 Resources and Services Administration, shall  
11 submit a report to the Congress—

12 “(i) summarizing the information sub-  
13 mitted in reports to the Secretary under  
14 subparagraph (B);

15 “(ii) describing the results of the pro-  
16 gram carried out under this section; and

17 “(iii) making recommendations for  
18 improvements to the program.”.

19 (c) TECHNICAL AMENDMENTS.—Section 340E of the  
20 Public Health Service Act (42 U.S.C. 256e) is further  
21 amended—

22 (1) in subsection (c)(2)(E)(ii), by striking “de-  
23 scribed in subparagraph (C)(ii)” and inserting “ap-  
24 plied under section 1886(d)(3)(E) of the Social Se-

1       curity Act for discharges occurring during the pre-  
2       ceding fiscal year”;

3               (2) in subsection (e)(2), by striking the first  
4       sentence; and

5               (3) in subsection (e)(3), by striking “made to  
6       pay” and inserting “made and pay”.

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