

103^D CONGRESS
2^D SESSION

H. R. 4841

To establish a fund for various programs to strengthen and expand the capacity of State and local governments and other entities to improve the public health.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 1994

Mr. MORAN (for himself, Mr. STOKES, Mr. DELLUMS, Mr. HILLIARD, Mr. FARR of California, Mr. NEAL of North Carolina, Mr. STUDDS, Ms. PELOSI, Mr. SERRANO, Mr. FILNER, Mr. FOGLIETTA, Mr. SANDERS, Mrs. MALONEY, and Mr. PAYNE of New Jersey) introduced the following bill; which was referred jointly to the Committees on Energy and Commerce, Education and Labor, and Ways and Means

A BILL

To establish a fund for various programs to strengthen and expand the capacity of State and local governments and other entities to improve the public health.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Public Health Improvement Act of 1994”.

6 (b) TABLE OF CONTENTS.—The table of titles and
7 subtitles for this Act is as follows:

**TITLE I—PROGRAMS UNDER PUBLIC HEALTH
IMPROVEMENT TRUST FUND**

Subtitle A—Programs of Public Health Service Act

Subtitle B—Comprehensive School Health Education

**TITLE II—AMENDMENTS TO INTERNAL REVENUE CODE
OF 1986**

1 **TITLE I—PROGRAMS UNDER**
2 **PUBLIC HEALTH IMPROVE-**
3 **MENT TRUST FUND**

4 **Subtitle A—Programs of Public**
5 **Health Service Act**

6 **SEC. 101. TABLE OF CONTENTS REGARDING NEW TITLE**
7 **XXVII OF PUBLIC HEALTH SERVICE ACT.**

8 A table describing the contents of title XXVII of the
9 Public Health Service Act, as added by section 102 of this
10 Act, is as follows:

TITLE XXVII—PROGRAMS UNDER PUBLIC HEALTH
IMPROVEMENT TRUST FUND

Subtitle A—Establishment of Fund; Advisory Commission

- Sec. 2701. Public Health Improvement Trust Fund.
- Sec. 2702. Public Health Advisory Commission.

Subtitle B—Core Functions of Public Health Programs

PART 1—FORMULA GRANTS TO STATES

- Sec. 2711. Authorizations of appropriations from Fund.
- Sec. 2712. Formula grants to States for core health functions.
- Sec. 2713. Number of functions; planning.
- Sec. 2714. Submission of information; reports.
- Sec. 2715. Application for grant.
- Sec. 2716. Determination of amount of allotment.
- Sec. 2717. Allocations for certain activities.

PART 2—COMPREHENSIVE EVALUATION OF DISEASE PREVENTION AND
HEALTH PROMOTION PROGRAMS

- Sec. 2718. Authorizations of appropriations from Fund.
- Sec. 2719. Evaluation of programs.

**Subtitle C—Opportunities for Education and Training in
Public Health**

PART 1—SCHOLARSHIP AND LOAN REPAYMENT PROGRAMS REGARDING
SERVICE IN PUBLIC HEALTH POSITIONS

- Sec. 2721. Authorizations of appropriations from Fund.
- Sec. 2722. Scholarship program.
- Sec. 2723. Loan repayment program.
- Sec. 2724. Approved public health positions.
- Sec. 2725. Allocation of funds; special considerations.

PART 2—EDUCATIONAL INSTITUTIONS REGARDING PUBLIC HEALTH

- Sec. 2731. Authorizations of appropriations from Fund.
- Sec. 2732. Grants for expanding capacity of institutions.
- Sec. 2733. Coordination of grant activities with national priorities.
- Sec. 2734. Certain requirements for grants.

PART 3—EXPANSION OF COMPETENCY IN PUBLIC HEALTH

- Sec. 2736. Authorizations of appropriations from Fund.
- Sec. 2737. Grants to States.

PART 4—GENERAL PROVISIONS REGARDING EDUCATION AND TRAINING

- Sec. 2740. Underrepresented minorities regarding fields of public health.
- Sec. 2740A. Coordination of programs.

Subtitle D—Regional Poison Control Centers

- Sec. 2741. Authorizations of appropriations from Fund.
- Sec. 2742. Grants for regional centers.
- Sec. 2743. Requirements regarding certification.
- Sec. 2744. General provisions.

Subtitle E—School-Related Health Services

PART 1—PROJECTS FOR PROVISION OF SERVICES

SUBPART A—DEVELOPMENT AND OPERATION OF PROJECTS

- Sec. 2746. Authorizations of appropriations from Fund.
- Sec. 2747. Eligibility for development and operation grants.
- Sec. 2748. Preferences.
- Sec. 2749. Grants for development of projects.
- Sec. 2750. Grants for operation of projects.
- Sec. 2751. Federal administrative costs.

SUBPART B—CAPITAL COSTS OF DEVELOPING PROJECTS

- Sec. 2753. Loans and loan guarantees regarding projects.
- Sec. 2754. Funding.

PART 2—SCHOLARSHIP AND LOAN REPAYMENT PROGRAMS REGARDING
SCHOOL NURSES

- Sec. 2755. Authorizations of appropriations from Fund.
- Sec. 2755A. Scholarship program regarding upgrade in skills.
- Sec. 2755B. Loan repayment program.

Sec. 2755C. School-nurse positions.

Subtitle F—Expansion of Access to Health Services

PART 1—COMMUNITY AND MIGRANT HEALTH CENTERS

Sec. 2756. Authorizations of appropriations from Fund.
 Sec. 2757. Grants to community and migrant health centers.

PART 2—QUALIFIED COMMUNITY HEALTH PLANS AND PRACTICE NETWORKS

SUBPART A—FUNDING; PURPOSES

Sec. 2761. Authorizations of appropriations from Fund.
 Sec. 2762. Purposes.

SUBPART B—DEVELOPMENT OF QUALIFIED COMMUNITY HEALTH PLANS AND PRACTICE NETWORKS

Sec. 2763. Grants and contracts for development of plans and networks.
 Sec. 2764. Preferences in making awards of assistance.
 Sec. 2765. Certain uses of awards.
 Sec. 2766. Accessibility of services.
 Sec. 2767. Additional agreements.
 Sec. 2768. Submission of certain information.
 Sec. 2769. Reports; audits.
 Sec. 2770. Application for assistance.
 Sec. 2771. General provisions.

SUBPART C—CAPITAL COST OF DEVELOPMENT OF QUALIFIED COMMUNITY HEALTH PLANS AND PRACTICE NETWORKS

Sec. 2773. Loans and loan guarantees regarding plans and networks.
 Sec. 2774. Certain requirements.
 Sec. 2775. Defaults; right of recovery.
 Sec. 2776. Provisions regarding construction or expansion of facilities.
 Sec. 2777. Application for assistance.
 Sec. 2778. Administration of programs.

PART 3—ENABLING SERVICES

Sec. 2779. Authorizations of appropriations from Fund.
 Sec. 2780. Grants and contracts for enabling services.

PART 4—NATIONAL HEALTH SERVICE CORPS

Sec. 2781. Authorizations of appropriations from Fund.

PART 5—SATELLITE CLINICS REGARDING PRIMARY HEALTH CARE

Sec. 2783. Authorizations of appropriations from Fund.
 Sec. 2783A. Grants to States for development and operation of satellite clinics.

PART 6—COMMUNITY HEALTH ADVISORS

Sec. 2784. Authorizations of appropriations from Fund.
 Sec. 2785. Formula grants regarding community health advisor programs.
 Sec. 2786. Requirements regarding community health advisor programs.
 Sec. 2787. Additional agreements.
 Sec. 2788. Application for assistance; State plan.

- Sec. 2789. Determination of amount of allotment.
 Sec. 2790. Quality assurance; cost-effectiveness.
 Sec. 2791. Evaluations; technical assistance.
 Sec. 2792. Rule of construction regarding programs of Indian Health Service.
 Sec. 2793. Definitions.
 Sec. 2794. Effect of insufficient appropriations for minimum allotments.

PART 7—MENTAL HEALTH; SUBSTANCE ABUSE

- Sec. 2795. Authorizations of appropriations from Fund.
 Sec. 2796. Supplemental formula grants for States regarding activities under part B of title XIX.
 Sec. 2797. Capital costs of development of certain centers and clinics.

Subtitle E—General Provisions

- Sec. 2798. Requirement regarding accreditation of schools, departments, and programs.
 Sec. 2799. Definitions.

1 **SEC. 102. ESTABLISHMENT OF NEW TITLE XXVII REGARD-**
 2 **ING PUBLIC HEALTH PROGRAMS.**

3 The Public Health Service Act (42 U.S.C. 201 et
 4 seq.) is amended by adding at the end the following title:

5 **“TITLE XXVII—PROGRAMS**
 6 **UNDER PUBLIC HEALTH IM-**
 7 **PROVEMENT TRUST FUND**
 8 **“Subtitle A—Establishment of**
 9 **Fund; Advisory Commission**

10 **“SEC. 2701. PUBLIC HEALTH IMPROVEMENT TRUST FUND.**

11 “(a) ESTABLISHMENT OF FUND.—There is estab-
 12 lished in the Treasury of the United States a fund to be
 13 known as the Public Health Improvement Trust Fund (in
 14 this title referred to as the ‘Fund’), consisting of the
 15 amounts appropriated in subsection (b) and subsection
 16 (d)(3). Amounts in the Fund are available until expended.

1 “(b) TRANSFERS TO FUND.—There are hereby ap-
2 propriated to the Fund amounts equivalent to the increase
3 in the revenues received in the Treasury by reason of the
4 amendments made by section 201 of the Public Health
5 Improvement Act of 1994.

6 “(c) EXPENDITURES FROM FUND.—Amounts in the
7 Fund are available for carrying out this title, and for car-
8 rying out subtitle B of title I of the Public Health Im-
9 provement Act of 1994 (relating to comprehensive school
10 health education), subject to the extent of amounts made
11 available in advance in appropriations Act pursuant to the
12 authorizations of appropriations established in the other
13 subtitles of this title and in section 2702. This section does
14 not establish any authorization of appropriations.

15 “(d) INVESTMENT.—

16 “(1) IN GENERAL.—The Secretary of the
17 Treasury shall invest such amounts of the Fund as
18 such Secretary determines are not required to meet
19 current withdrawals from the Fund. Such invest-
20 ments may be made only in interest-bearing obliga-
21 tions of the United States. For such purpose, such
22 obligations may be acquired on original issue at the
23 issue price, or by purchase of outstanding obliga-
24 tions at the market price.

1 “(2) SALE OF OBLIGATIONS.—Any obligation
2 acquired by the Fund may be sold by the Secretary
3 of the Treasury at the market price.

4 “(3) AVAILABILITY OF INCOME.—Any interest
5 derived from obligations acquired by the Fund, and
6 proceeds from any sale or redemption of such obliga-
7 tions, are hereby appropriated to the Fund.

8 **“SEC. 2702. PUBLIC HEALTH ADVISORY COMMISSION.**

9 “(a) IN GENERAL.—The Secretary shall establish
10 within the Office of the Assistant Secretary for Health an
11 advisory commission to be known as the National Public
12 Health Advisory Commission (in this title referred to as
13 the ‘Commission’). The first meeting of the Commission
14 shall be held not later than 90 days after the date of the
15 enactment of the Public Health Improvement Act of 1994.

16 “(b) DUTIES.—

17 “(1) IN GENERAL.—The Commission shall pro-
18 vide to the Secretary advice on carrying out this title
19 (including advice on the amount of funds that
20 should be made available for each of the programs
21 of this title and including advice on improving such
22 programs) and advice on other Federal policies re-
23 garding the public health (including the rec-
24 ommendations of the Commission for changes in
25 such policies). In carrying out the preceding sen-

1 tence, the Commission shall monitor the develop-
2 ment and operation of the programs of this title.

3 “(2) CERTAIN ACTIVITIES.—The activities car-
4 ried out under paragraph (1) by the Commission
5 shall include the following:

6 “(A) Assessing the effectiveness and cost-
7 effectiveness of public health programs on im-
8 proving health status of communities.

9 “(B) Assessing the effectiveness and cost-
10 effectiveness of public health interventions at
11 the community level.

12 “(C) Assessing the impact of health care
13 reform on access to clinical preventive services,
14 early detection services, and health promotion
15 services.

16 “(c) COMPOSITION.—

17 “(1) EX OFFICIO MEMBERS.—The heads of
18 each of the agencies of the Public Health Service (or
19 the designees of such heads) shall serve as nonvoting
20 members of the Commission. The Secretary may
21 designate additional Federal officials to so serve.

22 “(2) APPOINTED MEMBERS.—The Secretary
23 shall appoint to the Commission 9 individuals who
24 are not officers or employees of the Federal Govern-
25 ment, which individuals shall serve as voting mem-

1 bers of the Commission. Individuals appointed under
2 the preceding sentence shall include—

3 “(A) individuals who are experienced or
4 specially trained in a field of public health;

5 “(B) members of professional organiza-
6 tions regarding the public health;

7 “(C) members of the general public; and

8 “(D) members of organizations represent-
9 ing the general public.

10 “(3) REQUIREMENT REGARDING MINORITY
11 GROUPS.—The Secretary shall ensure that the mem-
12 bership of the Commission includes individuals who
13 are members of racial and ethnic minority groups.

14 “(d) CHAIR.—From among the members of the Com-
15 mission appointed under subsection (c)(2), the President
16 shall designate an individual to serve as the chair of the
17 Commission.

18 “(e) TERMS.—

19 “(1) IN GENERAL.—The term of a member of
20 the Commission appointed under subsection (c)(2) is
21 3 years, except that, of such members first ap-
22 pointed to the Commission, the Secretary shall speci-
23 fy varying terms of membership to achieve the result
24 that not more than $\frac{1}{3}$ of the terms of members so
25 appointed expire in any 1 year.

1 “(2) SERVICE AFTER EXPIRATION OF TERM.—

2 A member of the Commission may continue to serve
3 after the expiration of the term of the member until
4 a successor is appointed.

5 “(f) VACANCIES.—

6 “(1) AUTHORITY OF COMMISSION.—A vacancy
7 in the membership of the Commission does not af-
8 fect the power of the remaining members to carry
9 out the duties under subsection (b).

10 “(2) APPOINTMENT OF SUCCESSORS.—A va-
11 cancy in the membership of the Commission shall be
12 filled in the manner in which the original appoint-
13 ment was made.

14 “(3) INCOMPLETE TERM.—If a member of the
15 Commission does not serve the full term applicable
16 to the member, the individual appointed to fill the
17 resulting vacancy shall be appointed for the remain-
18 der of the term of the predecessor of the individual.

19 “(g) MEETINGS.—The Commission shall meet at the
20 call of the Chair or a majority of the members, except
21 that the Commission shall meet not fewer than 3 times
22 each fiscal year.

23 “(h) COMPENSATION; REIMBURSEMENT OF EX-
24 PENSES.—

1 “(1) APPOINTED MEMBERS.—Members of the
2 Commission appointed under subsection (c)(2) shall
3 receive compensation for each day (including travel-
4 time) engaged in carrying out the duties of the Com-
5 mittee. Such compensation may not be in an amount
6 in excess of the maximum rate of basic pay payable
7 under the General Schedule for positions above GS-
8 15.

9 “(2) EX OFFICIO MEMBERS.—Members of the
10 Commission who serve under subsection (c)(1) may
11 not receive compensation for service on the Commis-
12 sion in addition to the compensation otherwise re-
13 ceived for duties carried out as Federal officers or
14 employees.

15 “(3) REIMBURSEMENT.—Members of the Com-
16 mission may, in accordance with chapter 57 of title
17 5, United States Code, be reimbursed for travel,
18 subsistence, and other necessary expenses incurred
19 in carrying out the duties of the Commission.

20 “(i) STAFF.—

21 “(1) IN GENERAL.—The Commission may ap-
22 point and determine the compensation of such staff
23 as may be necessary to carry out the duties of the
24 Commission, including appointing an executive direc-
25 tor for the Commission. Such appointments and

1 compensation may be made without regard to the
2 provisions of title 5, United States Code, that govern
3 appointments in the competitive services, and the
4 provisions of chapter 51 and subchapter III of chap-
5 ter 53 of such title that relate to classifications and
6 the General Schedule pay rates.

7 “(2) LIMITATION.—Staff appointed under para-
8 graph (1) may not be compensated in excess of the
9 maximum rate of basic pay payable for GS–15
10 under the General Schedule, except that the execu-
11 tive director may be compensated in an amount not
12 exceeding the maximum rate of basic pay payable
13 under such Schedule for positions above GS–15.

14 “(j) AUTHORIZATION OF APPROPRIATIONS FROM
15 FUND.—For the purpose of carrying out this section,
16 there are authorized to be appropriated from the Fund
17 such sums as may be necessary for each of the fiscal years
18 1995 through 2002.

19 **“Subtitle B—Core Functions of**
20 **Public Health Programs**

21 **“PART 1—Formula Grants to States**

22 **“SEC. 2711. AUTHORIZATIONS OF APPROPRIATIONS FROM**
23 **FUND.**

24 For the purpose of carrying out this subtitle, there
25 are authorized to be appropriated from the Fund

1 \$150,000,000 for fiscal year 1995, \$400,000,000 for fis-
2 cal year 1996, \$550,000,000 for fiscal year 1997,
3 \$650,000,000 for fiscal year 1998, \$750,000,000 for fis-
4 cal year 1999, \$850,000,000 for fiscal year 2000,
5 \$900,000,000 for fiscal year 2001, and \$900,000,000 for
6 fiscal year 2002.

7 **“SEC. 2712. FORMULA GRANTS TO STATES FOR CORE**
8 **HEALTH FUNCTIONS.**

9 “(a) IN GENERAL.—In the case of each State that
10 submits to the Secretary an application in accordance with
11 section 2715 for a fiscal year, the Secretary of Health and
12 Human Services, acting through the Director of the Cen-
13 ters for Disease Control and Prevention, shall make a
14 grant to the State for carrying out the activities described
15 in subsection (c). The award shall consist of the allotment
16 determined under section 2716 for the State.

17 “(b) GENERAL PURPOSE.—The purpose of this sub-
18 title is to provide for improvements in the health status
19 of the public through carrying out the activities described
20 in subsection (b) toward attaining the Healthy People
21 2000 Objectives (as defined in section 2799). A funding
22 agreement for a grant under subsection (a) is that—

23 “(1) the grant will be expended for such activi-
24 ties; and

1 “(2) the activities will be carried out by the
2 State in collaboration with local public health de-
3 partments, health education and training centers,
4 neighborhood health centers, and other community
5 health providers.

6 “(c) CORE FUNCTIONS OF PUBLIC HEALTH PRO-
7 GRAMS.—Subject to the purpose described in subsection
8 (b), the activities referred to in subsection (a) are the
9 following:

10 “(1) Data collection, and analytical activities,
11 related to population-based status and outcomes
12 monitoring, including the following:

13 “(A) The regular collection and analysis of
14 public health data (including the 10 leading
15 causes of death and their costs to society).

16 “(B) Vital statistics.

17 “(C) Personal health services data.

18 “(D) The supply and distribution of health
19 professionals.

20 “(2) Activities to reduce environmental risk and
21 to assure the safety of housing, schools, workplaces,
22 day-care centers, food and water, including the fol-
23 lowing activities:

24 “(A) Monitoring the overall public health
25 status and safety of communities.

1 “(B) Assessing exposure to high lead levels
2 and other environmental contaminants; and ac-
3 tivities for abatement of toxicant hazards, in-
4 cluding lead-related hazards.

5 “(C) Monitoring the quality of community
6 water supplies used for consumption or for rec-
7 reational purposes.

8 “(D) Monitoring sewage and solid waste
9 disposal, radiation exposure, radon exposure,
10 and noise levels.

11 “(E) Monitoring indoor and ambient air
12 quality and related risks to vulnerable popu-
13 lations.

14 “(F) Assuring recreation, worker, and
15 school safety.

16 “(G) Enforcing public health safety and
17 sanitary codes.

18 “(H) Monitoring community access to ap-
19 propriate health services.

20 “(I) Other activities relating to promoting
21 and protecting the public health of commu-
22 nities.

23 “(3) Investigation, control, and public-aware-
24 ness activities regarding adverse health conditions
25 (such as emergency treatment preparedness, commu-

1 nity efforts to reduce violence, outbreaks of commu-
2 nicable diseases within communities, chronic disease
3 and dysfunction exposure-related conditions, toxic
4 environmental pollutants, occupational and rec-
5 reational hazards, motor vehicle accidents, and other
6 threats to the health status of individuals).

7 “(4) Public information and education pro-
8 grams to reduce risks to health (such as use of to-
9 bacco, alcohol and other drugs; unintentional injury
10 from accidents, including motor vehicle accidents;
11 sexual activities that increase the risk to HIV trans-
12 mission and sexually transmitted diseases; poor diet;
13 physical inactivity; stress-related illness; mental
14 health problems; genetic disorders; and low child-
15 hood immunization levels).

16 “(5) Provision of public health laboratory serv-
17 ices to complement private clinical laboratory serv-
18 ices and that screen for diseases and conditions
19 (such as metabolic diseases in newborns, provide as-
20 sements of blood lead levels and other environ-
21 mental toxicants, diagnose and contact tracing of
22 sexually transmitted diseases, tuberculosis and other
23 diseases requiring partner notification, test for infec-
24 tious and food-borne diseases, and monitor the safe-
25 ty of water and food supplies).

1 (6) Training and education of new and existing
2 health professionals in the field of public health,
3 with special emphasis on epidemiology, biostatistics,
4 health education, public health administration, pub-
5 lic health nursing and dentistry, environmental and
6 occupational health sciences, public health nutrition,
7 social and behavioral health sciences, operations re-
8 search, and laboratory technology.

9 “(7) Leadership, policy development and admin-
10 istration activities, including assessing needs and the
11 supply and distribution of health professionals; the
12 setting of public health standards; the development
13 of community public health policies; and the develop-
14 ment of community public health coalitions.

15 “(d) RESTRICTIONS ON USE OF GRANT.—

16 “(1) IN GENERAL.—A funding agreement for a
17 grant under subsection (a) for a State is that the
18 grant will not be expended—

19 “(A) to provide inpatient services;

20 “(B) to make cash payments to intended
21 recipients of health services;

22 “(C) to purchase or improve land, pur-
23 chase, construct, or permanently improve (other
24 than minor remodeling) any building or other
25 facility, or purchase major medical equipment;

1 “(D) to satisfy any requirement for the ex-
2 penditure of non-Federal funds as a condition
3 for the receipt of Federal funds; or

4 “(E) to provide financial assistance to any
5 entity other than a public or nonprofit private
6 entity.

7 “(2) LIMITATION ON ADMINISTRATIVE EX-
8 PENSES.—A funding agreement for a grant under
9 subsection (a) is that the State involved will not ex-
10 pend more than 20 percent of the grant for adminis-
11 trative expenses with respect to the grant.

12 “(e) MAINTENANCE OF EFFORT.—A funding agree-
13 ment for a grant under subsection (a) is that the State
14 involved will maintain expenditures of non-Federal
15 amounts for core health functions at a level that is not
16 less than the level of such expenditures maintained by the
17 State for the fiscal year preceding the first fiscal year for
18 which the State receives such a grant.

19 **“SEC. 2713. NUMBER OF FUNCTIONS; PLANNING.**

20 “(a) NUMBER OF FUNCTIONS.—Subject to sub-
21 section (b), a funding agreement for a grant under section
22 2712 is that the State involved will carry out each of the
23 activities described in subsection (c) of such section.

24 “(b) PLANNING.—In making grants under section
25 2712, the Secretary shall for each State designate a period

1 during which the State is to engage in planning to meet
2 the responsibilities of the State under subsection (a). The
3 period so designated may not exceed 18 months. With re-
4 spect to such period for a State, a funding agreement for
5 a grant under section 2712 for any fiscal year containing
6 any portion of the period is that, during the period, the
7 State will expend the grant only for such planning.

8 **“SEC. 2714. SUBMISSION OF INFORMATION; REPORTS.**

9 (a) SUBMISSION OF INFORMATION.—The Secretary
10 may make a grant under section 2712 only if the State
11 involved submits to the Secretary the following informa-
12 tion:

13 “(1) A description of the relationship between
14 community health providers, public and private
15 health plans, and the public health system of the
16 State.

17 “(2) A description of existing deficiencies in the
18 public health system at the State level and the local
19 level, using standards under the Healthy People
20 2000 Objectives.

21 “(3) A description of public health priorities
22 identified at the State level and local levels, includ-
23 ing the 10 leading causes of death and their respec-
24 tive direct and indirect costs to the State and the
25 Federal Government.

1 “(4) Measurable outcomes and process objec-
2 tives (using criteria under the Healthy People 2000
3 Objectives) which indicate improvements in health
4 status as a result of the activities carried out under
5 section 2712(c).

6 “(5) Information regarding each such activity,
7 which—

8 “(A) identifies the amount of State and
9 local funding expended on each such activity for
10 the fiscal year preceding the fiscal year for
11 which the grant is sought; and

12 “(B) provides a detailed description of how
13 additional Federal funding will improve each
14 such activity by both the State and local public
15 health agencies.

16 “(6) A description of activities under section
17 2712(c) to be carried out at the local level, and a
18 specification for each such activity of—

19 “(A) the communities in which the activity
20 will be carried out and any collaborating agen-
21 cies;

22 “(B) the amount of the grant to be ex-
23 pended for the activity in each community so
24 specified; and

1 “(C) the integration of community health
2 advisors (as defined in 2786(d)) with such ac-
3 tivities under section 2712(c).

4 “(7) A description of how such activities have
5 been coordinated with activities supported under
6 title V of the Social Security Act (relating to mater-
7 nal and child health).

8 “(b) REPORTS.—A funding agreement for a grant
9 under section 2712 is that the States involved will, not
10 later than the date specified by the Secretary, submit to
11 the Secretary a report describing—

12 “(1) the purposes for which the grant was
13 expended;

14 “(2) the health status of the population of the
15 State, as measured by criteria under the Healthy
16 People 2000 Objectives; and

17 “(3) the progress achieved and obstacles en-
18 countered in using uniform data sets under such
19 Objectives.

20 **“SEC. 2715. APPLICATION FOR GRANT.**

21 “The Secretary may make a grant under section
22 2712 only if an application for the grant is submitted to
23 the Secretary, the application contains each agreement de-
24 scribed in this part, the application contains the informa-
25 tion required in section 205, and the application is in such

1 form, is made in such manner, and contains such agree-
2 ments, assurances, and information as the Secretary de-
3 termines to be necessary to carry out this part.

4 **“SEC. 2716. DETERMINATION OF AMOUNT OF ALLOTMENT.**

5 “For purposes of section 2712, the allotment under
6 this section for a State for a fiscal year shall be deter-
7 mined through a formula established by the Secretary on
8 the basis of the population, economic indicators, and
9 health status of each State. Such allotment shall be the
10 product of—

11 “(1) a percentage determined under the for-
12 mula; and

13 “(2) the amount appropriated under section
14 2711 for the fiscal year, less any amounts reserved
15 under section 2717.

16 **“SEC. 2717. ALLOCATIONS FOR CERTAIN ACTIVITIES.**

17 “Of the amounts made available under section 2711
18 for a fiscal year for carrying out this part, the Secretary
19 may reserve not more than 15 percent for carrying out
20 the following activities:

21 “(1) Technical assistance with respect to plan-
22 ning, development, and operation of activities under
23 section 2712(b), including provision of biostatistical
24 and epidemiological expertise, provision of laboratory

1 expertise, and the development of uniform data sets
2 under the Health People 2000 Objectives.

3 “(2) Development and operation of a national
4 information network among State and local health
5 agencies for utilizing such uniform data sets.

6 “(3) Program monitoring and evaluation of ac-
7 tivities carried out under section 2712(b).

8 “(4) Development of a unified electronic report-
9 ing mechanism to improve the efficiency of adminis-
10 trative management requirements regarding the
11 provision of Federal grants to State public health
12 agencies.

13 **“PART 2—COMPREHENSIVE EVALUATION OF DIS-**
14 **EASE PREVENTION AND HEALTH PRO-**
15 **MOTION PROGRAMS**

16 **“SEC. 2718. AUTHORIZATIONS OF APPROPRIATIONS FROM**
17 **FUND.**

18 “For the purpose of carrying out this part, there
19 are authorized to be appropriated from the Fund
20 \$100,000,000 for fiscal year 1995, \$150,000,000 for each
21 of the fiscal years 1996 through 1999, and \$100,000,000
22 for fiscal year 2000.

23 **“SEC. 2719. EVALUATION OF PROGRAMS.**

24 “(a) GRANTS.—The Secretary may make grants to,
25 or enter into cooperative agreements or contracts with, eli-

1 gible entities for the purpose of enabling such entities to
2 carry out evaluations of the type described in subsection
3 (c). The Secretary shall carry out this section acting
4 through the Director of the Centers for Disease Control
5 and Prevention, subject to subsection (g).

6 “(b) REQUIREMENTS.—

7 “(1) ELIGIBLE ENTITIES.—To be eligible to re-
8 ceive an award of a grant, cooperative agreement, or
9 contract under subsection (a), an entity must—

10 “(A) be a public, nonprofit, or private en-
11 tity or a university;

12 “(B) prepare and submit to the Secretary
13 an application at such time, in such form, and
14 containing such information as the Secretary
15 may require, including a plan for the conduct of
16 the evaluation under the grant;

17 “(C) provide assurances that any informa-
18 tion collected while conducting evaluations
19 under this section will be maintained in a con-
20 fidential manner with respect to the identities
21 of the individuals from which such information
22 is obtained; and

23 “(D) meet any other requirements that the
24 Secretary determines to be appropriate.

1 “(2) TYPES OF ENTITIES.—In making awards
2 under subsection (a), the Secretary shall consider
3 applications from entities proposing to conduct eval-
4 uations using community programs, managed care
5 programs, State and county health departments,
6 public education campaigns, school programs, and
7 other appropriate programs. The Secretary shall en-
8 sure that not less than 25 percent of the amounts
9 appropriated under section 2718 for a fiscal year are
10 used for making such awards to entities that will use
11 the amounts to conduct evaluations in the work-
12 place.

13 “(c) USE OF FUNDS.—

14 “(1) EVALUATIONS.—An award under sub-
15 section (a) shall be used to—

16 “(A) conduct evaluations to determine the
17 extent to which clinical preventive services,
18 health promotion and unintentional injury pre-
19 vention activities, and interpersonal and com-
20 munity violence prevention activities, achieve
21 short-term and long-term health care cost re-
22 ductions and health status improvement with
23 respect to the Healthy People 2000 Objectives;
24 and

1 “(B) evaluate other areas determined ap-
2 propriate by the Secretary.

3 “(2) INCLUSION OF CERTAIN POPULATION
4 GROUPS.—In carrying out this section, the Secretary
5 shall ensure that data concerning women, children,
6 minorities, older individuals with different income
7 levels, retirees, and individuals from diverse geo-
8 graphical backgrounds, are obtained.

9 “(3) MINIMUM SERVICES.—The evaluations
10 that the Secretary may provide for under this sec-
11 tion include (but are not limited to) evaluations of
12 programs that provide one or more of the following
13 services:

14 “(A) Blood pressure screening and control
15 (to detect and control hypertension and coro-
16 nary health disease).

17 “(B) Early cancer screening.

18 “(C) Blood cholesterol screening and con-
19 trol.

20 “(D) Smoking cessation programs.

21 “(E) Substance abuse programs.

22 “(F) Dietary and nutrition counseling, in-
23 cluding nutrition

24 “(G) Physical fitness counseling.

25 “(H) Stress management.

1 “(I) Diabetes education and screening.

2 “(J) Intraocular pressure screening.

3 “(K) Monitoring of prescription drug use.

4 “(L) Violence and injury prevention pro-
5 grams.

6 “(N) Health education.

7 “(O) Immunization rates.

8 “(4) ENVIRONMENTAL DATA.—Evaluations con-
9 ducted under this section may consider the health ef-
10 fects and cost-effectiveness of certain environmental
11 programs, including fluoridation programs, traffic
12 safety programs, pollution control programs, acci-
13 dent prevention programs, and antismoking pro-
14 grams.

15 “(5) PUBLIC POLICIES.—Evaluations conducted
16 under this section may consider the effects of pre-
17 vention-oriented social and economic policies on im-
18 provement of health status and their long-term cost
19 effectiveness.

20 “(6) USE OF EXISTING DATA.—In conducting
21 evaluations under this section, entities shall use ex-
22 isting data and health promotion and screening pro-
23 grams where practicable.

24 “(7) COOPERATION.—In providing for an eval-
25 uation under this section, the Secretary shall encour-

1 age the recipient of the award and public and pri-
2 vate entities with relevant expertise (including State
3 and local agencies) to collaborate for purposes of
4 conducting the evaluation.

5 “(d) SITES.—Recipients of awards under subsection
6 (a) shall select evaluation sites under the award that
7 present the greatest potential for new and relevant knowl-
8 edge. Such recipients, in selecting such sites, shall ensure
9 that—

10 “(1) the sites provide evidence of pilot testing,
11 process evaluation, formative evaluation, availability
12 assessment strategies and results;

13 “(2) the sites provide evidence of a clear defini-
14 tion of the program and protocols for the implemen-
15 tation of the evaluation; and

16 “(3) the sites provide evidence of valid, appro-
17 priate and feasible assessment methods and tools
18 and a willingness to use common data items and in-
19 struments across such sites.

20 “(e) REPORTING REQUIREMENTS.—Not later than 1
21 year after an entity first receives an award under sub-
22 section (a), and not less than once during each 1-year pe-
23 riod thereafter for which such an award is made to the
24 entity, the entity shall prepare and submit to the Sec-
25 retary a report containing a description of the activities

1 under this section conducted during the period for which
2 the report is prepared, and the findings derived as a result
3 of such activities.

4 “(f) TERM OF EVALUATIONS.—Evaluations con-
5 ducted under this section shall be for a period of not less
6 than 3 years and may continue as necessary to permit the
7 grantee to adequately measure the full benefit of the
8 evaluations.

9 “(g) DISSEMINATION AND GUIDELINES.—

10 “(1) CONSULTATION.—The Secretary shall
11 carry out this subsection acting through the Director
12 of the Centers for Disease Control and Prevention
13 and the Administrator for Health Care Policy and
14 Research.

15 “(2) GUIDELINES.—The Secretary shall, where
16 feasible and practical, develop and issue practice
17 guidelines that are based on the results of evalua-
18 tions conducted under this section. The practice
19 guidelines shall be developed by the Secretary utiliz-
20 ing expert practitioners to assist in the development
21 and implementation of these guidelines.

22 “(3) DATA.—

23 “(A) IN GENERAL.—The Secretary shall
24 collect, store, analyze, and make available data
25 related to the formulation of the guidelines that

1 is provided to the Centers for Disease Control
2 and Prevention by entities conducting evalua-
3 tions under this section.

4 “(B) USE OF DATA.—The Secretary
5 shall—

6 “(i) identify activities that prevent
7 disease, illness, injury and disability, and
8 promote good health practices; ascertain
9 their cost-effectiveness; and identify their
10 potential to overall health status with re-
11 spect to Healthy People 2000 Objectives;

12 “(ii) disseminate practice guidelines to
13 State and county health departments,
14 State insurance departments, insurance
15 companies, employers, professional medical
16 organizations, and others determined ap-
17 propriate by the Secretary; and

18 “(iii) provide information with respect
19 to recidivism rates of participation in the
20 evaluations.

21 “(4) DISSEMINATION.—The Secretary may dis-
22 seminate information collected from evaluations
23 under this section.

24 “(h) LIMITATION.—Amounts appropriated for carry-
25 ing out this section shall not be utilized to provide services.

1 **“Subtitle C—Opportunities for**
2 **Education and Training in Pub-**
3 **lic Health**

4 **“Part 1—SCHOLARSHIP AND LOAN REPAYMENT**
5 **PROGRAMS REGARDING SERVICE IN PUBLIC**
6 **HEALTH POSITIONS**

7 **“SEC. 2721. AUTHORIZATIONS OF APPROPRIATIONS FROM**
8 **FUND.**

9 “For the purpose of carrying out this part, there are
10 authorized to be appropriated from the Fund
11 \$100,000,000 for fiscal year 1995, \$125,000,000 for fis-
12 cal year 1996, \$150,000,000 for fiscal year 1997,
13 \$150,000,000 for fiscal year 1998, \$150,000,000 for fis-
14 cal year 1999, and \$175,000,000 for each of the fiscal
15 years 2000 through 2002.

16 **“SEC. 2722. SCHOLARSHIP PROGRAM.**

17 “(a) IN GENERAL.—The Secretary, acting through
18 the Administrator of the Health Resources and Services
19 Administration and in consultation with the Director of
20 the Centers for Disease Control and Prevention, shall
21 carry out a program under which the Secretary awards
22 scholarships to individuals described in subsection (b) for
23 the purpose of assisting the individuals with the costs of
24 attending public and nonprofit private schools of public
25 health (or other public or nonprofit private institutions

1 providing graduate or specialized training in public
2 health).

3 “(b) ELIGIBLE INDIVIDUALS.—An individual re-
4 ferred to in subsection (a) is any individual meeting the
5 following conditions:

6 “(1) The individual is enrolled (or accepted for
7 enrollment) at a school or other institution referred
8 to in subsection (a) as a full-time or part-time stu-
9 dent in a program providing training in a health
10 profession in a field of public health (including the
11 fields of epidemiology, biostatistics, environmental
12 health, health administration and planning, behav-
13 ioral sciences, maternal and child health, occupa-
14 tional safety, public health nursing, nutrition, and
15 toxicology).

16 “(2) The individual enters into the contract re-
17 quired pursuant to subsection (d) as a condition of
18 receiving the scholarship (relating to an agreement
19 to provide services in approved public health posi-
20 tions, as defined in section 2724).

21 “(c) ELIGIBLE SCHOOLS.—For fiscal year 1997 and
22 subsequent fiscal years, the Secretary may make an award
23 of a scholarship under subsection (a) only if the Secretary
24 determines that—

1 “(1) the school or other institution with respect
2 to which the award is to be provided has coordinated
3 the activities of the school or institution with rel-
4 evant activities of the Health Resources and Services
5 Administration and the Centers for Disease Control
6 and Prevention; and

7 “(2) not fewer than 60 percent of the graduates
8 of the school or institution are in public health posi-
9 tions determined by the Secretary to be consistent
10 with the needs of the United States regarding such
11 professionals.

12 “(d) **APPLICABILITY OF CERTAIN PROVISIONS.**—Ex-
13 cept as inconsistent with this section or section 2724, the
14 provisions of subpart III of part D of title III (relating
15 to the Scholarship and Loan Repayment Programs of the
16 National Health Service Corps) apply to an award of a
17 scholarship under subsection (a) to the same extent and
18 in the same manner as such provisions apply to an award
19 of a scholarship under section 338A.

20 **“SEC. 2723. LOAN REPAYMENT PROGRAM.**

21 “(a) **IN GENERAL.**—The Secretary, acting through
22 the Administrator of the Health Resources and Services
23 Administration and in consultation with the Director of
24 the Centers for Disease Control and Prevention, shall
25 carry out a program under which the Federal Government

1 enters into agreements to repay all or part of the edu-
2 cational loans of individuals meeting the following condi-
3 tions:

4 “(1) The individual involved is a graduate of a
5 school or other institution described in section
6 2722(a).

7 “(2) The individual meets the applicable legal
8 requirements to provide services as a public health
9 professional (including a professional in any of the
10 fields specified in section 2722(b)(1)).

11 “(3) The individual enters into the contract re-
12 quired pursuant to subsection (b) as a condition of
13 the Federal Government repaying such loans (relat-
14 ing to an agreement to provide services in approved
15 public health positions, as defined in section 2724).

16 “(b) APPLICABILITY OF CERTAIN PROVISIONS.—Ex-
17 cept as inconsistent with this section or section 2724, the
18 provisions of subpart III of part D of title III (relating
19 to the Scholarship and Loan Repayment Programs of the
20 National Health Service Corps) apply to an agreement re-
21 garding repayment under subsection (a) to the same ex-
22 tent and in the same manner as such provisions apply to
23 an agreement regarding repayment under section 338B.

24 “(c) AMOUNT OF REPAYMENTS.—For each year for
25 which an individual contracts to serve in an approved pub-

1 lic health position pursuant to subsection (b), the Sec-
2 retary may repay not more than \$20,000 of the principal
3 and interest of the educational loans of the individual.

4 **“SEC. 2724. APPROVED PUBLIC HEALTH POSITIONS.**

5 “(a) POSITION REGARDING POPULATIONS WITH SIG-
6 NIFICANT NEED FOR SERVICES.—

7 “(1) IN GENERAL.—With respect to the pro-
8 grams under this part, the obligated service of a
9 program participant pursuant to sections 2722(d)
10 and 2723(b) shall be provided through an assign-
11 ment, to an entity described in subsection (b), for a
12 position in which the participant provides services as
13 a public health professional to a population deter-
14 mined by the Secretary to have a significant unmet
15 need for the services of such a professional.

16 “(2) PERIOD OF SERVICE.—For purposes of
17 sections 2722(d) and 2723(d), the period of obli-
18 gated service is the following, as applicable to the
19 program participant involved:

20 “(A) In the case of scholarships under sec-
21 tion 2722 for full-time students, the greater
22 of—

23 “(i) 1 year for each year for which
24 such a scholarship is provided; or

25 “(ii) 2 years.

1 “(B) In the case of scholarships under sec-
2 tion 2722 for part-time students, a period de-
3 termined by the Secretary on the basis of the
4 number of hours of education or training re-
5 ceived under the scholarship, considering the
6 percentage constituted by the ratio of such
7 number to the number of hours for a full-time
8 student in the program involved.

9 “(C) In the case of the loan repayments
10 under section 2723, such period as the Sec-
11 retary and the participant may agree, except
12 that the period may not be less than 2 years.

13 “(b) APPROVAL OF ENTITIES FOR ASSIGNMENT OF
14 PROGRAM PARTICIPANTS.—The entities referred to in
15 subsection (a) are public and nonprofit private entities ap-
16 proved by the Secretary as meeting such requirements for
17 the assignment of a program participant as the Secretary
18 may establish. The entities that the Secretary may so ap-
19 prove include State and local departments of health, public
20 hospitals, community and neighborhood health clinics, mi-
21 grant health clinics, community-based health-related orga-
22 nizations, certified regional poison control centers, pur-
23 chasing cooperatives regarding health insurance, and any
24 other public or nonprofit private entity.

25 “(c) DEFINITIONS.—For purposes of this part:

1 pants under this part include positions in programs that
2 provide education on the promotion of health and the pre-
3 vention of diseases and that are carried out on the prem-
4 ises of public or nonprofit private elementary and second-
5 ary schools, including comprehensive school health edu-
6 cation programs under subtitle B of title I of the Public
7 Health Improvement Act of 1994.

8 **“PART 2—EDUCATIONAL INSTITUTIONS**
9 **REGARDING PUBLIC HEALTH**

10 **“SEC. 2731. AUTHORIZATIONS OF APPROPRIATIONS FROM**
11 **FUND.**

12 “For the purpose of carrying out this part, there are
13 authorized to be appropriated from the Fund
14 \$100,000,000 for fiscal year 1995, \$125,000,000 for fis-
15 cal year 1996, \$150,000,000 for each of the fiscal years
16 1997 through 2000, and \$175,000,000 for each of the fis-
17 cal years 2001 and 2002.

18 **“SEC. 2732. GRANTS FOR EXPANDING CAPACITY OF INSTI-**
19 **TUTIONS.**

20 “(a) IN GENERAL.—The Secretary may make grants
21 to institutions described in subsection (b) for the purpose
22 of expanding the educational capacities of the institutions
23 through recruiting and retaining faculty, curriculum devel-
24 opment, and coordinating the activities of the institutions
25 regarding education, training, and field placements.

1 “(b) RELEVANT INSTITUTIONS.—The institutions
2 referred to in subsection (a) are public and nonprofit
3 private—

4 “(1) schools of public health;

5 “(2) departments of community and preventive
6 medicine that—

7 “(A) are within schools of medicine and
8 schools of osteopathic medicine; and

9 “(B) have established formal arrangements
10 with schools of public health in order to award
11 joint degrees in public health and another
12 health profession; and

13 “(3) schools of nursing or dentistry that have
14 established formal arrangements with schools of
15 public health in order to carry out educational pro-
16 grams in public health at the schools of nursing or
17 dentistry, respectively.

18 “(c) REQUIREMENTS REGARDING CURRICULUM DE-
19 VELOPMENT.—A funding agreement for a grant under
20 subsection (a) for an institution is that, to the extent de-
21 termined to be appropriate by the Secretary, the curricu-
22 lum of institution will include the following:

23 “(1) Subject to subsection (d)(1), part-time
24 nondegree programs for public health professionals
25 who need further training in fields of public health.

1 “(2) With respect to the program of community
2 health advisors established in part 5 of subtitle F,
3 a program to train individuals to serve as super-
4 visors under such part (including training and evalu-
5 ating the community health advisors), which pro-
6 gram is carried out in collaboration with local public
7 health departments and health education and train-
8 ing centers.

9 “(3) A program under which the institution col-
10 laborates with health departments and elementary
11 and secondary schools to develop a health education
12 curriculum for use in the program established under
13 subtitle B of title I of the Public Health Improve-
14 ment Act of 1964.

15 “(d) ADDITIONAL REQUIREMENTS.—Funding agree-
16 ments for a grant under subsection (a) for an institution
17 are as follows:

18 “(1) In developing the curriculum under the
19 grant, the institution will consult with the health de-
20 partments in the State involved, and will follow the
21 relevant priorities of such departments;

22 “(2) The institution will, as appropriate in the
23 determination of the Secretary, coordinate the activi-
24 ties of the institution under the grant with relevant
25 activities of the Health Resources and Services Ad-

1 ministration and the Centers for Disease Control
2 and Prevention.

3 **“SEC. 2733. COORDINATION OF GRANT ACTIVITIES WITH**
4 **NATIONAL PRIORITIES.**

5 The Secretary shall—

6 “(1) determine the needs of the United States
7 regarding the education and geographic distribution
8 of public health professionals;

9 “(2) determine priorities among such needs;
10 and

11 “(3) in making grants under section 2732, en-
12 sure that the curricula developed under such section,
13 and the expertise of the faculty recruited and re-
14 tained under such section, are consistent with such
15 priorities.

16 **“SEC. 2734. CERTAIN REQUIREMENTS FOR GRANTS.**

17 For fiscal year 1997 and subsequent fiscal years, the
18 Secretary may make a grant under section 2732 only if
19 the institution involved is in compliance with the following:

20 “(1) The institution has coordinated the activi-
21 ties of the school or institution with relevant activi-
22 ties of the Health Resources and Services Adminis-
23 tration and the Centers for Disease Control and
24 Prevention.

1 \$60,000,000 for each of the fiscal years 1995 through
2 2002.

3 **“SEC. 2737. GRANTS TO STATES.**

4 “(a) STATES LACKING TRAINING PROGRAMS.—

5 “(1) IN GENERAL.—The Secretary may make
6 grants to States in which there is no program of
7 training in a field of public health but in which there
8 are 1 or more schools of medicine, osteopathic medi-
9 cine, nursing, dentistry, social work, pharmacy, or
10 health administration. A funding agreement for such
11 a grant is that the purpose of the grant is for the
12 State involved to assist 1 or more of such schools in
13 developing and integrating public health curricula
14 for the schools.

15 “(2) SPECIAL CONSIDERATIONS IN MAKING
16 GRANTS.—In making grants under paragraph (1),
17 the Secretary shall give special consideration to
18 States that agree to consult with 1 or more schools
19 of public health in carrying out the purpose de-
20 scribed in such subsection.

21 “(b) STATES WITH NONACCREDITED SCHOOLS.—
22 The Secretary may make grants to States in which there
23 are 1 or more nonaccredited schools of public health. A
24 funding agreement for such a grant is that the purpose

1 of the grant is for the State involved to assist 1 or more
2 of such schools in improving the schools.

3 “(d) AMOUNT OF GRANT; LIMITATION REGARDING
4 INDIVIDUAL EDUCATIONAL ENTITIES.—

5 “(1) AMOUNT.—The amount of a grant under
6 this section to a State may not exceed \$600,000.

7 “(2) LIMITATION.—A funding agreement for a
8 grant under this section for a State is that, with re-
9 spect to the school involved, the State will not pro-
10 vide more than 2 years of assistance to the school
11 from grants under this section.

12 **“PART 4—GENERAL PROVISIONS REGARDING**
13 **EDUCATION AND TRAINING PROGRAMS**

14 **“SEC. 2740. UNDERREPRESENTED MINORITIES REGARDING**
15 **FIELDS OF PUBLIC HEALTH.**

16 “In providing for the education and training of indi-
17 viduals in a field of public health through the programs
18 of this subtitle, the Secretary shall give special consider-
19 ation to individuals who are members of a racial or ethnic
20 minority group that is underrepresented in the field.

21 **“SEC. 2740A. COORDINATION OF PROGRAMS.**

22 “The Secretary shall ensure that activities under each
23 program of this subtitle are coordinated with activities
24 under each other such program, including activities re-

1 guarding the number and variety of public health profes-
2 sionals educated or trained pursuant to this subtitle.

3 **“Subtitle D—Regional Poison**
4 **Control Centers**

5 **“SEC. 2741. AUTHORIZATIONS OF APPROPRIATIONS FROM**
6 **FUND.**

7 “For the purpose of carrying out this subtitle, there
8 is authorized to be appropriated from the Fund
9 \$50,000,000 for each of the fiscal years 1995 through
10 1997.

11 **“SEC. 2742. GRANTS FOR REGIONAL CENTERS.**

12 “(a) IN GENERAL.—The Secretary may make grants
13 to public and nonprofit private entities for centers to carry
14 out activities regarding—

15 “(1) the prevention and treatment of poisoning;
16 and

17 “(2) such other activities regarding the control
18 of poisons as the Secretary determines to be appro-
19 priate.

20 “(b) REGIONAL CONSIDERATIONS.—In making
21 grants under subsection (a), the Secretary shall determine
22 the need in each of the principal geographic regions of
23 the United States for a center under such subsection, and
24 shall make the grants according to priorities established
25 by the Secretary on the basis of the extent of such need

1 in each of the regions. In carrying out the preceding sen-
2 tence, the Secretary shall ensure that no two centers re-
3 ceive grants for the same geographic service area.

4 “(c) MATCHING FUNDS.—

5 “(1) IN GENERAL.—With respect to the costs of
6 an entity in providing for centers under subsection
7 (a), the Secretary may make a grant under such
8 subsection only if the State in which the center is to
9 operate, or other public entities in the State, agree
10 to make available (directly or through donations
11 from public or private entities) non-Federal con-
12 tributions toward such costs in an amount deter-
13 mined by the Secretary.

14 “(2) DETERMINATION OF AMOUNT CONTRIB-
15 UTED.—Non-Federal contributions required under
16 paragraph (1) may be in cash or in kind, fairly eval-
17 uated, including plant, equipment, or services.
18 Amounts provided by the Federal Government, or
19 services assisted or subsidized to any significant ex-
20 tent by the Federal Government, may not be in-
21 cluded in determining the amount of such non-Fed-
22 eral contributions.

23 **“SEC. 2743. REQUIREMENTS REGARDING CERTIFICATION.**

24 “(a) IN GENERAL.—Subject to subsection (b), the
25 Secretary may make a grant under section 2742 only if

1 the center involved has been certified by a professional or-
2 ganization in the field of poison control, and the Secretary
3 has approved the organization as having in effect stand-
4 ards for certification that reasonably provide for the pro-
5 tection of the public health with respect to poisoning. In
6 carrying out the preceding sentence, the Secretary shall
7 consider the standards established by the American Asso-
8 ciation of Poison Control Centers.

9 “(b) TEMPORARY WAIVER.—The Secretary may
10 waive the requirement of subsection (a) for a center for
11 a period not exceeding 1 year.

12 **“SEC. 2744. GENERAL PROVISIONS.**

13 “(a) DURATION OF GRANT.—The period during
14 which payments are made under a grant under section
15 2742 may not exceed 3 years. The provision of such pay-
16 ments is subject to annual approval by the Secretary of
17 the payments and subject to the availability of appropria-
18 tions for the fiscal year involved to make the payments.
19 The preceding sentence may not be construed as establish-
20 ing a limitation on the number of such grants that may
21 be made to an entity.

22 “(b) STUDY REGARDING NEED FOR CENTERS.—

23 “(1) IN GENERAL.—The Secretary shall con-
24 duct a study of each of the centers for which a grant
25 under section 2742 has been provided. The purpose

1 of the study shall be to determine the effectiveness
2 of the centers in carrying out the activities described
3 in such section and the extent to which the activities
4 have been carried out in a cost-effective manner.

5 “(2) ALTERNATIVES TO CENTERS.—In carrying
6 out the study under paragraph (1), the Secretary
7 shall determine the extent to which the activities de-
8 scribed in section 2742 can be effectively carried out
9 through means other than centers under such sec-
10 tion. The alternative means considered by the Sec-
11 retary under the preceding sentence shall include the
12 alternative of requiring public and private health
13 plans to carry out such activities.

14 “(3) DATE CERTAIN FOR COMPLETION.—Not
15 later than November 1, 1996, the Secretary shall
16 submit to the Congress a report describing the find-
17 ings made in the study under paragraph (1).

18 “(4) NOTICE TO CENTERS.—Not later than
19 February 1, 1997, the Secretary shall notify each
20 grantee under section 2742 whether the Secretary
21 considers the continued operation of the center in-
22 volved to be necessary in meeting the needs of the
23 geographic region involved for the activities de-
24 scribed in such section.

1 **“Subtitle E—School-Related Health**
2 **Services**

3 **“PART 1—PROJECTS FOR PROVISION OF**
4 **SERVICES**

5 **“Subpart A—Development and Operation of Projects**

6 **“SEC. 2746. AUTHORIZATIONS OF APPROPRIATIONS FROM**
7 **FUND.**

8 “For the purpose of carrying out this part, there
9 are authorized to be appropriated from the Fund
10 \$100,000,000 for fiscal year 1996, \$275,000,000 for fis-
11 cal year 1997, \$350,000,000 for fiscal year 1998, and
12 \$400,000,000 for fiscal year 1999, \$450,000,000 for each
13 of the fiscal years 2000 through 2002.

14 **“SEC. 2747. ELIGIBILITY FOR DEVELOPMENT AND OPER-**
15 **ATION GRANTS.**

16 “(a) IN GENERAL.—Entities eligible to apply for
17 and receive grants under section 2749 or 2750 are the
18 following:

19 “(1) State health agencies that apply on behalf
20 of local community partnerships for communities in
21 need of health services within the State.

22 “(2) Local community partnerships in States in
23 which health agencies have not applied.

24 “(b) LOCAL COMMUNITY PARTNERSHIPS.—

1 “(1) IN GENERAL.—A local community partner-
2 ship under subsection (a)(2) is an entity that, at a
3 minimum, includes—

4 “(A) a local health care provider with expe-
5 rience in delivering services to pre-adolescents
6 and adolescents;

7 “(B) one or more local public schools; and

8 “(C) at least one community based organi-
9 zation located in the community to be served
10 that has a history of providing services to at-
11 risk youth in the community.

12 “(2) PARTICIPATION.—A partnership described
13 in paragraph (1) shall, to the maximum extent fea-
14 sible, involve broad based community participation
15 from parents and youth to be served, health and so-
16 cial service providers (including regional alliance
17 health plans and corporate alliance health plans in
18 which families in the community are enrolled),
19 teachers and other public school and school board
20 personnel, youth development and service organiza-
21 tions, and interested business leaders. Such partici-
22 pation may be evidenced through an expanded part-
23 nership, or an advisory board to such partnership.

1 **“SEC. 2748. PREFERENCES.**

2 “(a) IN GENERAL.—In making grants under sections
3 2749 and 2750, the Secretary shall give preference to ap-
4 plicants whose communities to be served show the most
5 substantial level of need for such services among individ-
6 uals who are between the ages of 10 and 19 (inclusive),
7 as measured by indicators of community health including
8 the following:

9 “(1) High levels of poverty.

10 “(2) The presence of a medically underserved
11 area or population (as defined under section 330(a)).

12 “(3) A health professional shortage area, as
13 designated under section 332.

14 “(4) High rates of indicators of health risk
15 among children and youth, including a high propor-
16 tion of children receiving services through the Indi-
17 viduals with Disabilities Education Act; adolescent
18 pregnancy, sexually transmitted disease (including
19 infection with the human immunodeficiency virus),
20 preventable disease, communicable disease, inten-
21 tional and unintentional injuries among children and
22 youth (including motor vehicle injuries); inter-
23 personal, community, and gang violence; rape; youth
24 unemployment; juvenile justice involvement; and
25 high rates of drug and alcohol exposure.

1 “(b) LINKAGE TO QUALIFIED COMMUNITY HEALTH
2 GROUPS.—In making grants under sections 2749 and
3 2750, the Secretary shall give preference to applicants
4 that demonstrate a linkage to qualified community health
5 groups (as defined in section 2763(a)).

6 **“SEC. 2749. GRANTS FOR DEVELOPMENT OF PROJECTS.**

7 “(a) IN GENERAL.—The Secretary may make grants
8 to State health agencies or to local community partner-
9 ships to develop school health service sites. The locations
10 at which such sites may be developed include any public
11 or nonprofit private school.

12 “(b) USE OF FUNDS.—A project for which a grant
13 may be made under subsection (a) may include but not
14 be limited to the cost of the following:

15 “(1) Planning for the provision of school health
16 services.

17 “(2) Recruitment, compensation, and training
18 of health and administrative staff.

19 “(3) The development of agreements with re-
20 gional and corporate alliance health plans and the
21 acquisition and development of equipment and infor-
22 mation services necessary to support information ex-
23 change between school health service sites and
24 health plans, health providers, and other entities au-
25 thorized to collect information under this Act.

1 “(4) In the case of communities described in
2 subsection (d)(2)(B), funds to aid in the establish-
3 ment of local community partnerships.

4 “(5) Other activities necessary to assume oper-
5 ational status.

6 “(c) APPLICATION FOR GRANT.—

7 “(1) IN GENERAL.—Applicants shall submit ap-
8 plications in a form and manner prescribed by the
9 Secretary.

10 “(2) APPLICATIONS BY STATE HEALTH AGEN-
11 CIES.—

12 “(A) In the case of applicants that are
13 State health agencies, the application shall con-
14 tain assurances that the State health agency is
15 applying for funds—

16 “(i) on behalf of at least one local
17 community partnership; and

18 “(ii) on behalf of at least one other
19 community identified by the State as in
20 need of the services funded under this sub-
21 part but without a local community part-
22 nership.

23 “(B) In the case of communities identified
24 in applications submitted by State health agen-
25 cies that do not yet have local community part-

1 nerships, the State shall describe the steps that
2 will be taken to aid the community in develop-
3 ing a local community partnership.

4 “(C) A State applying on behalf of local
5 community partnerships and other communities
6 may retain not more than 10 percent of grants
7 awarded under this subpart for administrative
8 costs.

9 “(d) CONTENTS OF APPLICATION.—In order to re-
10 ceive a grant under this section, an applicant must include
11 in the application the following information:

12 “(1) An assessment of the need for school
13 health services in the communities to be served,
14 using the latest available health data and health
15 goals and objectives established by the Secretary.

16 “(2) A description of how the applicant will de-
17 sign the proposed school health services to reach the
18 maximum number of school-aged children and youth
19 at risk for poor health outcome.

20 “(3) An explanation of how the applicant will
21 integrate its services with those of other health and
22 social service programs within the community.

23 “(4) An explanation of how the applicant will
24 link its activities to health plans serving the commu-

1 nities in which the applicant's program is to be
2 located.

3 “(5) A description of outcome measures to be
4 used to evaluate the effectiveness of the program.

5 “(6) A description of a quality assurance pro-
6 gram which complies with standards that the Sec-
7 retary may prescribe.

8 “(e) NUMBER OF GRANTS.—Not more than one plan-
9 ning grant may be made to a single applicant. A planning
10 grant may not exceed two years in duration.

11 **“SEC. 2750. GRANTS FOR OPERATION OF PROJECTS.**

12 “(a) IN GENERAL.—The Secretary may make grants
13 to State health agencies or to local community partner-
14 ships for the cost of operating school health service sites.
15 The locations at which such sites may be operated include
16 any public or nonprofit private school.

17 “(b) USE OF GRANT.—The costs for which a grant
18 may be made under this section include but are not limited
19 to the following:

20 “(1) The cost of furnishing health services that
21 are not covered under title I of this Act or by any
22 other public or private insurer.

23 “(2) The cost of furnishing enabling services, as
24 defined in section 2780(g).

1 “(3) Training, recruitment and compensation of
2 health professionals and other staff.

3 “(4) Outreach services to at-risk youth and to
4 parents.

5 “(5) Linkage of individuals to health plans,
6 community health services and social services.

7 “(6) Other activities deemed necessary by the
8 Secretary.

9 “(c) APPLICATION FOR GRANT.—Applicants shall
10 submit applications in a form and manner prescribed by
11 the Secretary. In order to receive a grant under this sec-
12 tion, an applicant must include in the application the fol-
13 lowing information:

14 “(1) A description of the services to be fur-
15 nished by the applicant.

16 “(2) The amounts and sources of funding that
17 the applicant will expend, including estimates of the
18 amount of payments the applicant will receive from
19 alliance health plans and from other sources.

20 “(3) Such other information as the Secretary
21 determines to be appropriate.

22 “(d) ADDITIONAL CONTENTS OF APPLICATION.—In
23 order to receive a grant under this section, an applicant
24 must meet the following conditions:

1 “(1) The applicant furnishes the following serv-
2 ices:

3 “(A) Diagnosis and treatment of acute ill-
4 nesses and minor injuries.

5 “(B) Clinical preventive health services, in-
6 cluding health screenings and early detection
7 services.

8 “(C) Enabling services, as defined in sec-
9 tion 2780(g).

10 “(D) Referrals and followups in situations
11 involving illness or injury.

12 “(E) Health and social services, counseling
13 services, and necessary referrals, including re-
14 ferrals regarding mental health, substance
15 abuse, and interpersonal violence, including
16 rape.

17 “(F) Such other services as the Secretary
18 determines to be appropriate.

19 “(2) The applicant maintains agreements with
20 health plans offering services in the applicant’s serv-
21 ice area.

22 “(3) The applicant is a participating provider in
23 the State’s program for medical assistance under
24 title XIX of the Social Security Act.

1 “(4) The applicant does not impose charges on
2 students or their families for services (including col-
3 lection of any cost-sharing for services under the
4 comprehensive benefit package that otherwise would
5 be required).

6 “(5) The applicant has reviewed and will peri-
7 odically review the needs of the population served by
8 the applicant in order to ensure that its services are
9 accessible to the maximum number of school age
10 children and youth in the area, and that, to the
11 maximum extent possible, barriers to access to serv-
12 ices of the applicant are removed (including barriers
13 resulting from the area’s physical characteristics, its
14 economic, social and cultural grouping, the health
15 care utilization patterns of children and youth, and
16 available transportation).

17 “(6) In the case of an applicant which serves a
18 population that includes a substantial proportion of
19 individuals of limited English speaking ability, the
20 applicant has developed a plan to meet the needs of
21 such population to the extent practicable in the lan-
22 guage and cultural context most appropriate to such
23 individuals.

1 under subsection (a) to the same extent and in the same
2 manner as such provisions apply to grants under subpart
3 A. Except for any provision inconsistent with the purpose
4 described in subsection (a), the provisions of subpart C
5 of part 2 of subtitle F apply to loans and loan guarantees
6 under subsection (a) to the same extent and in the same
7 manner as such provisions apply to loans and loan guaran-
8 tees under section 2773.

9 **“SEC. 2754. FUNDING.**

10 Amounts available to the Secretary under section
11 2761 for the purpose of carrying out part 2 of subtitle
12 F are, in addition to such purpose, available to the Sec-
13 retary for the purpose of carrying out this subpart.

14 **“PART 2—SCHOLARSHIP AND LOAN REPAYMENT**
15 **PROGRAMS REGARDING SCHOOL NURSES**

16 **“SEC. 2755. AUTHORIZATIONS OF APPROPRIATIONS FROM**
17 **FUND.**

18 “For the purpose of carrying out this part, there is
19 authorized to be appropriated from the Fund \$10,000,000
20 for each of the fiscal years 1995 through 2002.

21 **“SEC. 2755A. SCHOLARSHIP PROGRAM REGARDING UP-**
22 **GRADE IN SKILLS.**

23 “(a) IN GENERAL.—The Secretary, acting through
24 the Administrator of the Health Resources and Services
25 Administration and in consultation with the Director of

1 the Centers for Disease Control and Prevention, shall
2 carry out a program under which the Secretary awards
3 scholarships to individuals described in subsection (b) for
4 the purpose of assisting the individuals with the costs of
5 attending programs of education in professional nursing
6 (exclusive of graduate programs in nursing).

7 “(b) ELIGIBLE INDIVIDUALS.—An individual re-
8 ferred to in subsection (a) is any individual meeting the
9 following conditions:

10 “(1) The individual is serving or has served as
11 a school nurse in public or nonprofit private elemen-
12 tary or secondary school, and the individual is not
13 a professional nurse.

14 “(2) The individual is enrolled (or accepted for
15 enrollment) at a program referred to in subsection
16 (a) as a full-time or part-time student.

17 “(3) The individual enters into the contract re-
18 quired pursuant to subsection (d) as a condition of
19 receiving the scholarship (relating to an agreement
20 to provide services as a school nurse.

21 “(d) APPLICABILITY OF CERTAIN PROVISIONS.—Ex-
22 cept as inconsistent with this section or section 2755C,
23 the provisions of subpart III of part D of title III (relating
24 to the Scholarship and Loan Repayment Programs of the
25 National Health Service Corps) apply to an award of a

1 scholarship under subsection (a) to the same extent and
2 in the same manner as such provisions apply to an award
3 of a scholarship under section 338A.

4 **“SEC. 2755B. LOAN REPAYMENT PROGRAM.**

5 “(a) IN GENERAL.—The Secretary, acting through
6 the Administrator of the Health Resources and Services
7 Administration and in consultation with the Director of
8 the Centers for Disease Control and Prevention, shall
9 carry out a program under which the Federal Government
10 enters into agreements to repay all or part of the edu-
11 cational loans of individuals meeting the following condi-
12 tions:

13 “(1) The individual is a professional nurse and
14 meets the applicable legal requirements to serve as
15 a school nurse.

16 “(2) The individual enters into the contract re-
17 quired pursuant to subsection (b) as a condition of
18 the Federal Government repaying such loans (relat-
19 ing to an agreement to provide services as a school
20 nurse).

21 “(b) APPLICABILITY OF CERTAIN PROVISIONS.—Ex-
22 cept as inconsistent with this section or section 2755C,
23 the provisions of subpart III of part D of title III (relating
24 to the Scholarship and Loan Repayment Programs of the
25 National Health Service Corps) apply to an agreement re-

1 guarding repayment under subsection (a) to the same ex-
2 tent and in the same manner as such provisions apply to
3 an agreement regarding repayment under section 338B.

4 “(c) AMOUNT OF REPAYMENTS.—For each year for
5 which an individual contracts to serve as a school nurse
6 pursuant to subsection (b), the Secretary may repay not
7 more than \$20,000 of the principal and interest of the
8 educational loans of the individual.

9 **“SEC. 2755C. SCHOOL-NURSE POSITIONS.**

10 “(a) POSITION REGARDING STUDENTS WITH SIG-
11 NIFICANT NEED FOR SERVICES.—

12 “(1) IN GENERAL.—With respect to the pro-
13 grams under this part, the obligated service of a
14 program participant pursuant to sections 2755A(d)
15 and 2755B(b) shall be provided through an assign-
16 ment to a school described in subsection (b) for a
17 position as a school nurse.

18 “(2) PERIOD OF SERVICE.—For purposes of
19 sections 2755A(d) and 2755B(d), the period of obli-
20 gated service is the following, as applicable to the
21 program participant involved:

22 “(A) In the case of scholarships under sec-
23 tion 2755A for full-time students, the greater
24 of—

1 “(i) 1 year for each year for which
2 such a scholarship is provided; or

3 “(ii) 2 years.

4 “(B) In the case of scholarships under sec-
5 tion 2755A for part-time students, a period de-
6 termined by the Secretary on the basis of the
7 number of hours of education or training re-
8 ceived under the scholarship, considering the
9 percentage constituted by the ratio of such
10 number to the number of hours for a full-time
11 student in the program involved.

12 “(C) In the case of the loan repayments
13 under section 2755B, such period as the Sec-
14 retary and the participant may agree, except
15 that the period may not be less than 2 years.

16 “(b) APPROVAL OF SCHOOLS FOR ASSIGNMENT OF
17 PROGRAM PARTICIPANTS.—The schools referred to in
18 subsection (a) are public or nonprofit private elementary
19 or secondary schools whose students include a significant
20 number of students with an unmet need for health services
21 that are provided by school nurses.

22 “(c) DEFINITIONS.—For purposes of this subpart:

23 “(1) The term ‘professional nurse’ has the
24 meaning given such term under title VIII.

1 **“SEC. 2757. GRANTS TO COMMUNITY AND MIGRANT**
2 **HEALTH CENTERS.**

3 “(a) IN GENERAL.—The Secretary shall make grants
4 in accordance with this section to migrant health centers
5 and community health centers.

6 “(b) USE OF FUNDS.—

7 “(1) DEVELOPMENT, OPERATION, AND OTHER
8 PURPOSES REGARDING CENTERS.—Subject to para-
9 graph (2), grants under subsection (a) to migrant
10 health centers and community health centers may be
11 made only in accordance with the conditions upon
12 which grants are made under sections 329 and 330,
13 respectively.

14 “(2) REQUIRED FINANCIAL RESERVES.—The
15 Secretary may authorize migrant health centers and
16 community health centers to expend a grant under
17 subsection (a) to establish and maintain financial re-
18 serves required for purposes of health plans.

19 “(c) DEFINITIONS.—For purposes of this subtitle,
20 the terms ‘migrant health center’ and ‘community health
21 center’ have the meanings given such terms in sections
22 329(a)(1) and 330(a), respectively.

1 **“PART 2—QUALIFIED COMMUNITY HEALTH**

2 **PLANS AND PRACTICE NETWORKS**

3 **“Subpart A—Funding; Purposes**

4 **“SEC. 2761. AUTHORIZATIONS OF APPROPRIATIONS FROM**
5 **FUND.**

6 “(a) DEVELOPMENT OF QUALIFIED COMMUNITY
7 HEALTH PLANS AND PRACTICE GROUPS.—For the pur-
8 pose of carrying out this part, there are authorized to be
9 appropriated from the Fund \$200,000,000 for fiscal year
10 1995, \$500,000,000 for fiscal year 1996, \$600,000,000
11 for fiscal year 1997, \$650,000,000 for fiscal year 1998,
12 \$500,000,000 for fiscal year 1999, and \$200,000,000 for
13 fiscal year 2000.

14 “(b) RELATION TO OTHER FUNDS.—The authoriza-
15 tions of appropriations established in subsection (a) are
16 in addition to any other authorizations of appropriations
17 that are available for the purpose described in such sub-
18 section.

19 “(c) RELATIONSHIP TO PROGRAM REGARDING
20 SCHOOL-RELATED HEALTH SERVICES.—This section is
21 subject to section 2754.

22 **“SEC. 2762. PURPOSES.**

23 Subject to the provisions of this part, the purposes
24 of this part are as follows:

25 “(1) To improve access to health services for
26 urban and rural medically-underserved populations

1 through a program of flexible grants, contracts, and
2 loans.

3 “(2) To facilitate transition to a system in
4 which medically-underserved populations have an
5 adequate choice of community-oriented providers
6 and health plans.

7 “(3) To promote the development of community
8 practice networks and community health plans that
9 integrate health professionals and health care orga-
10 nizations supported through public funding with
11 other providers in medically underserved areas.

12 “(4) To support linkages between providers of
13 health care for medically-underserved populations
14 and health plans.

15 “(5) To expand the capacity of community
16 practice networks and community health plans in
17 underserved areas by increasing the number of prac-
18 tice sites and by renovating and converting sub-
19 standard inpatient and outpatient facilities.

20 “(6) To link providers in underserved areas
21 with each other and with public and private health
22 care institutions and academic health centers,
23 through information systems and telecommuni-
24 cations.

1 “(7) To support activities that enable medically
2 underserved populations to gain access to the health
3 care system and use it effectively.

4 **“Subpart B—Development of Qualified Community**
5 **Health Plans and Practice Networks**

6 **“SEC. 2763. GRANTS AND CONTRACTS FOR DEVELOPMENT**
7 **OF PLANS AND NETWORKS.**

8 “(a) IN GENERAL.—The Secretary may make grants
9 to and enter into contracts with consortia of public or pri-
10 vate health care providers for the development of qualified
11 community health plans and qualified community practice
12 networks. For purposes of this subtitle, the term ‘qualified
13 community health group’ means such a health plan or
14 such a practice network.

15 “(b) QUALIFIED COMMUNITY HEALTH PLANS.—For
16 purposes of this subtitle, the term ‘qualified community
17 health plan’ means a health plan that meets the following
18 conditions:

19 “(1) The health plan is a public or nonprofit
20 private entity whose principal purpose is to provide
21 comprehensive health services, including clinical pre-
22 ventive services, in 1 or more medically underserved
23 communities (as defined in section 2799).

1 “(2) Two or more of the categories specified in
2 subsection (d) are represented among the entities
3 providing health services through the health plan.

4 “(c) QUALIFIED COMMUNITY PRACTICE NET-
5 WORKS.—For purposes of this subtitle, the term ‘qualified
6 community practice network’ means a consortium of
7 health care providers meeting the following conditions:

8 “(1) The consortium is a public or nonprofit
9 private entity whose principal purpose is the purpose
10 described in subsection (b)(1).

11 “(2) The consortium has an agreement with
12 one or more health plans.

13 “(3) The participation of health care providers
14 in the consortium is governed by a written agree-
15 ment to which each of the participating providers is
16 a party.

17 “(4) Two or more of the categories described in
18 subsection (d) are represented among the entities
19 participating in the consortium.

20 “(d) RELEVANT CATEGORIES OF ENTITIES.—For
21 purposes of subsections (b)(3) and (c)(4), the categories
22 described in this subsection are the following categories
23 of entities:

24 “(1) Physicians, other health professionals, or
25 health care institutions that provide health services

1 in one or more health professional shortage areas or
2 provide such services to a significant number of indi-
3 viduals who are members of a medically underserved
4 population, and that do not provide health services
5 under any of the programs specified in paragraphs
6 (2) through (7) or as employees of public entities.

7 “(2) Entities providing health services under
8 grants under sections 329 and 330.

9 “(3) Entities providing health services under
10 grants under sections 340 and 340A.

11 “(4) Entities providing health services under
12 grants under section 1001 or title XXVI.

13 “(5) Entities providing health services under
14 title V of the Social Security Act.

15 “(6) Entities providing health services through
16 rural health clinics and other federally qualified
17 health centers.

18 “(7) Entities providing health services in urban
19 areas through programs under title V of the Indian
20 Health Care Improvement Act, and entities provid-
21 ing outpatient health services through programs
22 under the Indian Self-Determination Act.

23 “(8) Programs providing personal health serv-
24 ices and operating through State or local public
25 health agencies.

1 “(e) RULE OF CONSTRUCTION.—The consortia to
2 which the Secretary may make an award of financial as-
3 sistance under subsection (a) for the development of quali-
4 fied community practice networks include any health plan
5 that meets applicable requirements regarding financial sol-
6 vency and professional credentials, without regard to
7 whether the health plan is a qualified health plan.

8 “(f) SERVICE AREA.—In making an award of finan-
9 cial assistance under subsection (a), the Secretary shall
10 designate the geographic area with respect to which the
11 qualified community health group involved is to provide
12 health services. A funding agreement for such an award
13 is that the qualified community health group involved will
14 provide such services in the area so designated.

15 “(g) DEFINITIONS.—For purposes of this subtitle:

16 “(1) The term ‘health professional shortage
17 areas’ means health professional shortage areas des-
18 ignated under section 332.

19 “(2) The term ‘medically underserved popu-
20 lation’ means a medically underserved population
21 designated under section 330.

22 “(3) The term ‘rural health clinic’ has the
23 meaning given such term in section 1861(aa)(2) of
24 the Social Security Act.

1 “(2) Of applicants receiving preference under
2 paragraph (1), the Secretary shall give a greater de-
3 gree of preference according to the extent to which
4 a greater number of categories are represented.

5 “(3) Of applicants receiving preference under
6 paragraph (1), the Secretary shall give a greater de-
7 gree of preference if one of the categories rep-
8 resented is the category described in subsection
9 (d)(1) of such section.

10 **“SEC. 2765. CERTAIN USES OF AWARDS.**

11 “(a) IN GENERAL.—Subject to subsections (b) and
12 (c), the purposes for which an award of financial assist-
13 ance under section 2763 may be expended in developing
14 a qualified community health group include the following:

15 “(1) Planning such group, including entering
16 into contracts between the recipient of the award
17 and health care providers who are to participate in
18 the group.

19 “(2) Recruitment, compensation, and training
20 of health professionals (including public health pro-
21 fessionals) and administrative staff.

22 “(3) Acquisition, expansion, modernization, and
23 conversion of facilities, including for purposes of
24 providing for sites at which health services are to be
25 provided through such group.

1 “(4) Acquisition and development of informa-
2 tion systems (exclusive of systems that the Secretary
3 determines are information highways).

4 “(5) Such other expenditures as the Secretary
5 determines to be appropriate.

6 “(b) PRIORITIES AND LIMITATIONS REGARDING CAP-
7 ITAL COSTS.—

8 “(1) PRIORITIES REGARDING USE OF FUNDS.—
9 In authorizing recipients of awards under section
10 2763 to use the awards for capital costs, the Sec-
11 retary shall give priority to authorizing expenditures
12 for projects for the renovation and modernization of
13 medical facilities necessary to prevent or eliminate
14 safety hazards, avoid noncompliance with licensure
15 or accreditation standards, or projects to replace ob-
16 solete facilities.

17 “(2) LIMITATION.—The Secretary may author-
18 ize the use of awards under section 2763 for the
19 construction of new buildings only if the Secretary
20 determines that appropriate facilities are not avail-
21 able through acquiring, modernizing, expanding or
22 converting existing buildings, or that construction of
23 new buildings will cost less.

1 “(c) TWENTY-YEAR OBLIGATION REGARDING SIG-
2 NIFICANT CAPITAL EXPENDITURES; RIGHT OF RECOV-
3 ERY.—

4 “(1) IN GENERAL.—With respect to a facility
5 for which substantial capital costs are to paid from
6 an award of financial assistance under section 2763,
7 the Secretary may make the award only if the appli-
8 cant involved agrees that the applicant will be liable
9 to the United States for the amount of the award
10 expended for such costs, together with an amount
11 representing interest, if at any time during the 20-
12 period beginning on the date of completion of the ac-
13 tivities involved, the facility—

14 “(A) ceases to be a facility utilized by a
15 qualified community health group, or by an-
16 other public or nonprofit private entity that
17 provides health services in one or more health
18 professional shortage areas or that provides
19 such services to a significant number of individ-
20 uals who are members of a medically under-
21 served population; or

22 “(B) is sold or transferred to any entity
23 other than an entity that is—

1 “(i) a qualified community health
2 group or other entity described in subpara-
3 graph (A); and

4 “(ii) approved by the Secretary as a
5 purchaser or transferee regarding the
6 facility.

7 “(2) SUBORDINATION; WAIVERS.—The Sec-
8 retary may subordinate or waive the right of recov-
9 ery under paragraph (1), and any other Federal in-
10 terest that may be derived by virtue of an award of
11 financial assistance under section 2763 from which
12 substantial capital costs are to be paid, if the Sec-
13 retary determines that subordination or waiver will
14 further the objectives of this part.

15 **“SEC. 2766. ACCESSIBILITY OF SERVICES.**

16 “(a) SERVICES FOR CERTAIN INDIVIDUALS.—A
17 funding agreement for an award of financial assistance
18 under section 2763 is that the qualified community health
19 group involved will ensure that the services of the group
20 will be accessible to all individuals in the service area of
21 the group, directly or through formal contractual arrange-
22 ments with its participating providers.

23 “(b) USE OF THIRD-PARTY PAYORS.—A funding
24 agreement for an award of financial assistance under sec-
25 tion 2763 is that the qualified community health group

1 involved will ensure that the health care providers of the
2 group are all approved by the Secretary as providers under
3 title XVIII of the Social Security Act and by the appro-
4 priate State agency as providers under title XIX of the
5 Social Security Act, and the applicant has made or will
6 make every reasonable effort to collect appropriate reim-
7 bursement for its costs in providing health services to indi-
8 viduals who are entitled to insurance benefits under title
9 XVIII of the Social Security Act, to medical assistance
10 under a State plan approved under title XIX of the Social
11 Security Act, or to assistance for medical expenses under
12 any other public assistance program or private health in-
13 surance program.

14 “(c) SCHEDULE OF FEES.—A funding agreement for
15 an award of financial assistance under section 2763 is that
16 the qualified community health group involved will—

17 “(1) prepare a schedule of fees or payments for
18 the provision of health services that is consistent
19 with locally prevailing rates or charges and designed
20 to cover its reasonable costs of operation and has
21 prepared a corresponding schedule of discounts to be
22 applied to the payment of such fees or payments (or
23 payments of cost sharing amounts owed in the case
24 of covered benefits) which discounts are applied on
25 the basis of the patient’s ability to pay; and

1 “(2) make every reasonable effort to secure
2 from patients payment in accordance with such
3 schedules, and to collect reimbursement for services
4 to persons entitled to public or private insurance
5 benefits or other medical assistance on the basis of
6 full fees without application of discounts, except that
7 the applicant will ensure that no person is denied
8 service based on the person’s inability to pay there-
9 for.

10 “(d) BARRIERS WITHIN SERVICE AREA.—A funding
11 agreement for an award of financial assistance under sec-
12 tion 2763 is that the qualified community health group
13 involved will ensure that the following conditions are met:

14 “(1) In the service area of the group, the group
15 will ensure that—

16 “(A) the services of the group are acces-
17 sible to all residents; and

18 “(B) to the maximum extent possible, bar-
19 riers to access to the services of the group are
20 eliminated, including barriers resulting from the
21 area’s physical characteristics, its residential
22 patterns, its economic, social and cultural
23 groupings, and available transportation.

24 “(2) The group will periodically conduct reviews
25 within the service area of the group to determine

1 whether the conditions described in paragraph (1)
2 are being met.

3 “(e) LIMITED ABILITY TO SPEAK ENGLISH LAN-
4 GUAGE.—A funding agreement for an award of financial
5 assistance under section 2763 is that, if the service area
6 of the qualified community health group involved includes
7 a substantial number of individuals who have a limited
8 ability to speak the English language, the applicant will—

9 “(1) maintain arrangements responsive to the
10 needs of such individuals for providing services to
11 the extent practicable in the language and cultural
12 context most appropriate to such individuals; and

13 “(2) maintain a sufficient number of staff
14 members who are fluent in both English and the
15 languages spoken by such individuals, and will en-
16 sure that the responsibilities of the employees in-
17 clude providing guidance and assistance to such in-
18 dividuals and to other staff members of the group.

19 **“SEC. 2767. ADDITIONAL AGREEMENTS.**

20 “(a) REQUIRED SERVICES.—A funding agreement
21 for an award of financial assistance under section 2763
22 is that the qualified community health group involved will
23 provide enabling services (as defined in section 2780(g))
24 and all of the items and services identified by the Sec-

1 retary in rules regarding qualified community health plans
2 and practice networks.

3 “(b) QUALITY CONTROL SYSTEM.—A funding agree-
4 ment for an award of financial assistance under section
5 2763 is that the qualified community health group in-
6 volved will maintain a community-oriented, patient respon-
7 sive, quality control system under which the group, in ac-
8 cordance with regulations prescribed by the Secretary—

9 “(1) conducts an ongoing quality assurance
10 program for the health services delivered by partici-
11 pating provider entities;

12 “(2) maintains a continuous community health
13 status improvement process that is based on out-
14 comes reporting by the State, including any such re-
15 ports available pursuant to the Healthy People 2000
16 Objectives; and

17 “(3) maintains a system for development, com-
18 pilation, evaluation and reporting of information to
19 the public and to the State and local health depart-
20 ments involved regarding the costs of operation,
21 service utilization patterns, availability, accessibility
22 and acceptability of services, developments in the
23 health status of the populations served, uniform
24 health and clinical performance measures and finan-
25 cial performance of the network or plan.

1 “(c) USE OF EXISTING RESOURCES.—A funding
2 agreement for an award of financial assistance under sec-
3 tion 2763 is that the applicant will, in developing the
4 qualified community health group involved, utilize existing
5 resources to the maximum extent practicable.

6 **“SEC. 2768. SUBMISSION OF CERTAIN INFORMATION.**

7 “(a) ASSESSMENT OF NEED.—The Secretary may
8 make an award of financial assistance under section 2763
9 only if the applicant involved submits to the Secretary an
10 assessment of the need that the medically underserved
11 population or populations proposed to be served by the ap-
12 plicant have for health services and for enabling services
13 (as defined in section 2780(g)).

14 “(b) DESCRIPTION OF INTENDED EXPENDITURES;
15 RELATED INFORMATION.—The Secretary may make an
16 award of financial assistance under section 2763 only if
17 the applicant involved submits to the Secretary the follow-
18 ing information:

19 “(1) A description of how the applicant will de-
20 sign the proposed quality community health plan or
21 practice network (including the service sites in-
22 volved) for such populations based on the assess-
23 ment of need.

24 “(2) A description of efforts to secure, within
25 the proposed service area of such health plan or

1 practice network (including the service sites in-
2 volved), financial and professional assistance and
3 support for the project.

4 “(3) Evidence of significant community involve-
5 ment in the initiation, development and ongoing op-
6 eration of the project.

7 **“SEC. 2769. REPORTS; AUDITS.**

8 “A funding agreement for an award of financial as-
9 sistance under section 2763 is that the applicant involved
10 will—

11 “(1) provide such reports and information on
12 activities carried out under this section in a manner
13 and form required by the Secretary; and

14 “(2) provide an annual organization-wide audit
15 that meets applicable standards of the Secretary.

16 **“SEC. 2770. APPLICATION FOR ASSISTANCE.**

17 “The Secretary may make an award of financial as-
18 sistance under section 2763 only if an application for the
19 award is submitted to the Secretary, the application con-
20 tains each funding agreement described in this subpart,
21 the application contains the information required in sec-
22 tion 2768, and the application is in such form, is made
23 in such manner, and contains such agreements, assur-
24 ances, and information as the Secretary determines to be
25 necessary to carry out this subpart.

1 **“SEC. 2771. GENERAL PROVISIONS.**

2 “(a) LIMITATION ON NUMBER OF AWARDS.—The
3 Secretary may not make more than two awards of finan-
4 cial assistance under section 2763 for the same project.

5 “(b) AMOUNT.—The amount of any award of finan-
6 cial assistance under section 2763 for any project shall
7 be determined by the Secretary.

8 **“Subpart C—Capital Cost of Development of Quali-**
9 **fied Community Health Plans and Practice Net-**
10 **works**

11 **“SEC. 2773. LOANS AND LOAN GUARANTEES REGARDING**
12 **PLANS AND NETWORKS.**

13 “(a) IN GENERAL.—The Secretary may make loans
14 to, and guarantee the payment of principal and interest
15 to Federal and non-Federal lenders on behalf of, public
16 and private entities for the capital costs of developing
17 qualified community health groups (as defined in section
18 2763(a)).

19 “(b) PREFERENCES; ACCESSIBILITY OF SERVICES;
20 CERTAIN OTHER PROVISIONS.—The provisions of subpart
21 B apply to loans and loan guarantees under subsection
22 (a) to the same extent and in the same manner as such
23 provisions apply to awards of grants and contracts under
24 section 2763.

25 “(c) USE OF ASSISTANCE.—

1 “(1) IN GENERAL.—With respect to the devel-
2 opment of qualified community health groups, the
3 capital costs for which loans made pursuant to sub-
4 section (a) may be expended are, subject to para-
5 graphs (2) and (3), the following:

6 “(A) The acquisition, modernization, ex-
7 pansion or construction of facilities, or the con-
8 version of unneeded hospital facilities to facili-
9 ties that will assure or enhance the provision
10 and accessibility of health care and enabling
11 services to medically underserved populations.

12 “(B) The purchase of major equipment, in-
13 cluding equipment necessary for the support of
14 external and internal information systems.

15 “(C) The establishment of reserves re-
16 quired for furnishing services on a prepaid
17 basis.

18 “(D) Such other capital costs as the Sec-
19 retary may determine are necessary to achieve
20 the objectives of this section.

21 “(2) PRIORITIES REGARDING USE OF FUNDS.—
22 In providing loans or loan guarantees under sub-
23 section (a) for an entity, the Secretary shall give pri-
24 ority to authorizing the use of amounts for projects
25 for the renovation and modernization of medical fa-

1 facilities necessary to prevent or eliminate safety haz-
2 ards, avoid noncompliance with licensure or accredi-
3 tation standards, or projects to replace obsolete
4 facilities.

5 “(3) LIMITATION.—The Secretary may author-
6 ize the use of amounts under subsection (a) for the
7 construction of new buildings only if the Secretary
8 determines that appropriate facilities are not avail-
9 able through acquiring, modernizing, expanding or
10 converting existing buildings, or that construction of
11 new buildings will cost less.

12 “(d) AMOUNT OF ASSISTANCE.—The principal
13 amount of loans or loan guarantees under subsection (a)
14 may, when added to any other assistance under this sec-
15 tion, cover up to 100 percent of the costs involved.

16 **“SEC. 2774. CERTAIN REQUIREMENTS.**

17 “(a) LOANS.—

18 “(1) IN GENERAL.—The Secretary may approve
19 a loan under section 2773 only if—

20 “(A) the Secretary is reasonably satisfied
21 that the applicant for the project for which the
22 loan would be made will be able to make pay-
23 ments of principal and interest thereon when
24 due; and

1 “(B) the applicant provides the Secretary
2 with reasonable assurances that there will be
3 available to it such additional funds as may be
4 necessary to complete the project or undertak-
5 ing with respect to which such loan is re-
6 quested.

7 “(2) TERMS AND CONDITIONS.—Any loan made
8 under section 2773 shall, subject to the Federal
9 Credit Reform Act of 1990, meet such terms and
10 conditions (including provisions for recovery in case
11 of default) as the Secretary, in consultation with the
12 Secretary of the Treasury, determines to be nec-
13 essary to carry out the purposes of such section
14 while adequately protecting the financial interests of
15 the United States. Terms and conditions for such
16 loans shall include provisions regarding the follow-
17 ing:

18 “(A) Security.

19 “(B) Maturity date.

20 “(C) Amount and frequency of install-
21 ments.

22 “(D) Rate of interest, which shall be at a
23 rate comparable to the rate of interest prevail-
24 ing on the date the loan is made.

1 “(b) LOAN GUARANTEES.—The Secretary may not
2 approve a loan guarantee under section 2773 unless the
3 Secretary determines that the terms, conditions, security
4 (if any), schedule and amount of repayments with respect
5 to the loan are sufficient to protect the financial interests
6 of the United States and are otherwise reasonable. Such
7 loan guarantees shall be subject to such further terms and
8 conditions as the Secretary determines, in consultation
9 with the Secretary of the Treasury, and subject to the
10 Federal Credit Reform Act of 1990, to be necessary to
11 ensure that the purposes of this section will be achieved.

12 “(c) USE OF EXISTING RESOURCES.—The Secretary
13 may provide a loan or loan guarantee under section 2773
14 only if the applicant involved agrees that, in developing
15 the qualified community health group involved, the appli-
16 cant will utilize existing resources to the maximum extent
17 practicable.

18 **“SEC. 2775. DEFAULTS; RIGHT OF RECOVERY.**

19 “(a) DEFAULTS.—

20 “(1) IN GENERAL.—The Secretary may take
21 such action as may be necessary to prevent a default
22 on loans or loan guarantees under section 2773, in-
23 cluding the waiver of regulatory conditions, deferral
24 of loan payments, renegotiation of loans, and the ex-
25 penditure of funds for technical and consultative as-

1 sistance, for the temporary payment of the interest
2 and principal on such a loan, and for other pur-
3 poses.

4 “(2) FORECLOSURE.—The Secretary may take
5 such action, consistent with State law respecting
6 foreclosure procedures, as the Secretary deems ap-
7 propriate to protect the interest of the United States
8 in the event of a default on a loan made pursuant
9 to section 2773, including selling real property
10 pledged as security for such a loan or loan guarantee
11 and for a reasonable period of time taking posses-
12 sion of, holding, and using real property pledged as
13 security for such a loan or loan guarantee.

14 “(3) WAIVERS.—The Secretary may, for good
15 cause, but with due regard to the financial interests
16 of the United States, waive any right of recovery
17 which the Secretary has by reasons of the failure of
18 a borrower to make payments of principal of and in-
19 terest on a loan made pursuant to section 2773, ex-
20 cept that if such loan is sold and guaranteed, any
21 such waiver shall have no effect upon the Secretary’s
22 guarantee of timely payment of principal and
23 interest.

24 “(b) TWENTY-YEAR OBLIGATION; RIGHT OF RECOV-
25 ERY.—

1 “(1) IN GENERAL.—With respect to a facility
2 for which a loan is to be made pursuant to section
3 2773, the Secretary may provide the loan or loan
4 guarantee only if the applicant involved agrees that
5 the applicant will be liable to the United States for
6 the amount of the loan or loan guarantee, together
7 with an amount representing interest, if at any time
8 during the 20-period beginning on the date of com-
9 pletion of the activities involved, the facility—

10 “(A) ceases to be a facility utilized by a
11 qualified community health group, or by an-
12 other public or nonprofit private entity that
13 provides health services in one or more health
14 professional shortage areas or that provides
15 such services to a significant number of individ-
16 uals who are members of a medically under-
17 served population; or

18 “(B) is sold or transferred to any entity
19 other than an entity that is—

20 “(i) a qualified community health
21 group or other entity described in subpara-
22 graph (A); and

23 “(ii) approved by the Secretary as a
24 purchaser or transferee regarding the facil-
25 ity.

1 cility, the Secretary may provide loans or loan guarantees
2 under section 2773 only if the applicant makes the follow-
3 ing agreements:

4 “(1) Title to such site will be vested in one or
5 more of the entities filing the application (unless the
6 assurance described in subsection (a)(3) has been
7 submitted under such subsection).

8 “(2) Adequate financial support will be avail-
9 able for completion of the project and for its mainte-
10 nance and operation when completed.

11 “(3) All laborers and mechanics employed by
12 contractors or subcontractors in the performance of
13 work on a project will be paid wages at rates not
14 less than those prevailing on similar construction in
15 the locality as determined by the Secretary of Labor
16 in accordance with the Act of March 3, 1931 (40
17 U.S.C. 276a et seq; commonly known as the Davis-
18 Bacon Act), and the Secretary of Labor shall have
19 with respect to such labor standards the authority
20 and functions set forth in Reorganization Plan
21 Numbered 14 of 1950 (15 FR 3176; 5 U.S.C. Ap-
22 pendix) and section 276c of title 40.

23 “(4) The facility will be made available to all
24 persons seeking service regardless of their ability to
25 pay.

1 **“SEC. 2777. APPLICATION FOR ASSISTANCE.**

2 “The Secretary may provide loans or loan guarantees
3 under section 2773 only if an application for such assist-
4 ance is submitted to the Secretary, the application con-
5 tains each agreement described in this subpart, the appli-
6 cation contains the information required in section
7 2781(a), and the application is in such form, is made in
8 such manner, and contains such agreements, assurances,
9 and information as the Secretary determines to be nec-
10 essary to carry out this subpart.

11 **“SEC. 2778. ADMINISTRATION OF PROGRAMS.**

12 This subpart, and any other program of the Secretary
13 that provides loans or loan guarantees, shall be carried
14 out by a centralized loan unit established within the De-
15 partment of Health and Human Services.

16 **“PART 3—ENABLING SERVICES**

17 **“SEC. 2779. AUTHORIZATIONS OF APPROPRIATIONS FROM**
18 **FUND.**

19 “(a) ENABLING SERVICES.—For the purpose of car-
20 rying out this part, there are authorized to be appro-
21 priated from the Fund \$200,000,000 for each of the fiscal
22 year 1996 through 1999, and \$100,000,000 for fiscal year
23 2000.

24 “(b) RELATION TO OTHER FUNDS.—The authoriza-
25 tions of appropriations established in subsection (a) are
26 in addition to any other authorizations of appropriations

1 that are available for the purpose described in such sub-
2 section.

3 **“SEC. 2780. GRANTS AND CONTRACTS FOR ENABLING SERV-**
4 **ICES.**

5 “(a) IN GENERAL.—

6 “(1) GRANTS AND CONTRACTS.—The Secretary
7 may make grants to and enter into contracts with
8 entities described in paragraph (2) to assist such en-
9 tities in providing the services described in sub-
10 section (b) for the purpose of increasing the extent
11 to which individuals appropriately utilize health serv-
12 ices that are available to the individuals, including
13 health services for which the individuals are eligible
14 under Federal and State programs.

15 “(2) RELEVANT ENTITIES.—For purposes of
16 paragraph (1), the entities described in this para-
17 graph are qualified community health groups (as de-
18 fined in section 2763(a)), and other public or non-
19 profit private entities, that—

20 “(A) provide health services in one or more
21 health professional shortage areas or that pro-
22 vide such services to a significant number of in-
23 dividuals who are members of a medically un-
24 derserved population; and

1 “(B) are experienced in providing services
2 to increase the extent to which individuals ap-
3 propriately utilize health services that are avail-
4 able to the individuals.

5 “(b) ENABLING SERVICES.—The services referred to
6 in subsection (a)(1) are transportation, community and
7 patient outreach, patient education, translation services,
8 and such other services as the Secretary determines to be
9 appropriate in carrying out the purpose described in such
10 subsection.

11 “(c) CERTAIN REQUIREMENTS REGARDING PROJECT
12 AREA.—The Secretary may make an award of a grant or
13 contract under subsection (a) only if the applicant in-
14 volved—

15 “(1) submits to the Secretary—

16 “(A) information demonstrating that the
17 medically underserved populations in the com-
18 munity to be served under the award have a
19 need for enabling services; and

20 “(B) a proposed budget for providing such
21 services; and

22 “(2) the applicant for the award agrees that the
23 residents of the community will be significantly in-
24 volved in the project carried out with the award.

1 “(d) IMPOSITION OF FEES.—The Secretary may
2 make an award of a grant or contract under subsection
3 (a) only if the applicant involved agrees that, in the project
4 carried out under such subsection, enabling services will
5 be provided without charge to the recipients of the serv-
6 ices.

7 “(e) USE OF EXISTING RESOURCES.—The Secretary
8 may make an award of a grant or contract under sub-
9 section (a) only if the applicant involved agrees that, in
10 carrying out the project under such subsection, the appli-
11 cant will utilize existing resources to the maximum extent
12 practicable.

13 “(f) APPLICATION FOR AWARDS OF ASSISTANCE.—
14 The Secretary may make an award of a grant or contract
15 under subsection (a) only if an application for the award
16 is submitted to the Secretary, the application contains
17 each agreement described in this subpart, the application
18 contains the information required in subsection (d)(1),
19 and the application is in such form, is made in such man-
20 ner, and contains such agreements, assurances, and infor-
21 mation as the Secretary determines to be necessary to
22 carry out this subpart.

23 “(g) DEFINITION.—For purposes of this section, the
24 term ‘enabling services’ means services described in sub-

1 section (b) that are provided for the purpose described in
2 subsection (a)(1).

3 **“PART 4—NATIONAL HEALTH SERVICE CORPS**

4 **“SEC. 2781. AUTHORIZATIONS OF APPROPRIATIONS FROM**
5 **FUND.**

6 “(a) ADDITIONAL FUNDING; GENERAL CORPS PRO-
7 GRAM; ALLOCATIONS REGARDING NURSES.—For the pur-
8 pose of carrying out subpart II of part D of title III, and
9 for the purpose of carrying out subsection (c), there are
10 authorized to be appropriated from the Fund \$50,000,000
11 for fiscal year 1995, \$100,000,000 for fiscal year 1996,
12 and \$200,000,000 for each of the fiscal years 1997
13 through 2000.

14 “(b) RELATION TO OTHER FUNDS.—The authoriza-
15 tions of appropriations established in subsection (a) are
16 in addition to any other authorizations of appropriations
17 that are available for the purpose described in such sub-
18 section.

19 “(c) ALLOCATION FOR PARTICIPATION OF NURSES
20 IN SCHOLARSHIP AND LOAN REPAYMENT PROGRAMS.—
21 Of the amounts appropriated under subsection (a), the
22 Secretary shall reserve such amounts as may be necessary
23 to ensure that, of the aggregate number of individuals who
24 are participants in the Scholarship Program under section
25 338A, or in the Loan Repayment Program under section

1 338B, the total number who are being educated as nurses
2 or are serving as nurses, respectively, is increased to 30
3 percent.

4 “(d) AVAILABILITY OF FUNDS.—An appropriation
5 under this section for any fiscal year may be made at any
6 time before that fiscal year and may be included in an
7 Act making an appropriation under an authorization
8 under subsection (a) for another fiscal year; but no funds
9 may be made available from any appropriation under this
10 section for obligation under sections 331 through 335, sec-
11 tion 336A, and section 337 before the fiscal year involved.

12 **“PART 5—SATELLITE CLINICS REGARDING**
13 **PRIMARY HEALTH CARE**

14 **“SEC. 2783. AUTHORIZATION OF APPROPRIATIONS FORM**
15 **FUND.**

16 For the purpose of carrying out this part, there is
17 authorized to be appropriated from the Fund \$50,000,000
18 for each of the fiscal years 1995 through 2000.

19 **“SEC. 2783A. GRANTS TO STATES FOR DEVELOPMENT AND**
20 **OPERATION OF SATELLITE CLINICS.**

21 “(a) IN GENERAL.—With respect to outpatient
22 health centers that are providers of comprehensive health
23 services, the Secretary may make grants to States for the
24 purpose of assisting such centers in developing or operat-
25 ing facilities that—

1 “(1) provide clinical preventive services, treat-
2 ment of minor illnesses and injuries, family planning
3 services, and referrals for health services, mental
4 health services, and health-related social services;
5 and

6 “(2) are located at a distance from the center
7 sufficient to increase the extent to which individuals
8 in the geographic area involved have access to the
9 services specified in paragraph (1).

10 “(b) CERTAIN REQUIREMENTS.—The Secretary may
11 make a grant under subsection (a) only if the State agrees
12 that the health facility for which the grant is made, once
13 in operation, will meet the following conditions:

14 “(1) The clinical preventive services provided by
15 the facility will include routine preventive services,
16 including family planning services, for pregnant and
17 postpartum women and for children, including
18 health screenings and immunizations.

19 “(2) The principal providers of health services
20 at the facility, and the principal managers of the fa-
21 cility, will be nurse practitioners or nurse clinicians,
22 subject to applicable law.

23 “(3) The outpatient health center operating the
24 facility will serve as a referral center for physician

1 services and will provide for the ongoing monitoring
2 of the activities of the facility.

3 “(c) MATCHING FUNDS.—The Secretary may make
4 a grant under subsection (a) only if the State involved
5 agrees to make non-Federal contributions toward the costs
6 of developing and operating the health facilities involved.

7 “(d) APPLICATION FOR GRANT.—The Secretary may
8 make a grant under subsection (a) only if an application
9 for the grant is submitted to the Secretary and the appli-
10 cation is in such form, is made in such manner, and con-
11 tains such agreements, assurances, and information as the
12 Secretary determines to be necessary to carry out this
13 part.

14 “(e) LIMITATION ON AMOUNT OF ASSISTANCE PER
15 FACILITY.—With respect to a health facility for which one
16 or more grants under subsection (a) are made, the Sec-
17 retary may not provide more than an aggregate \$250,000
18 for the development and operation of the facility.

19 **“PART 6—COMMUNITY HEALTH ADVISORS**

20 **“SEC. 2784. AUTHORIZATION OF APPROPRIATIONS FROM**
21 **FUND.**

22 For the purpose of carrying out this part, there is
23 authorized to be appropriated from the Fund
24 \$100,000,000 for fiscal year 1995, \$125,000,000 for fis-
25 cal year 1996, \$150,000,000 for fiscal year 1997,

1 \$175,000,000 for fiscal year 1998, \$175,000,000 for fis-
2 cal year 1999, and \$175,000,000 for fiscal year 2000.

3 **“SEC. 2785. FORMULA GRANTS REGARDING COMMUNITY**
4 **HEALTH ADVISOR PROGRAMS.**

5 “(a) FORMULA GRANTS.—

6 “(1) IN GENERAL.—In the case of each State
7 (or entity designated by a State under subsection
8 (b)) that submits to the Secretary an application in
9 accordance with section 2788 for a fiscal year, the
10 Secretary of Health and Human Services, acting
11 through the Director of the Centers for Disease
12 Control and Prevention and in coordination with the
13 heads of the agencies specified in paragraph (2),
14 shall make an award of financial assistance to the
15 State or entity for the development and operation of
16 community health advisor programs under section
17 2786(b). The award shall consist of the allotment
18 determined under section 2789 with respect to the
19 State, subject to section 2794.

20 “(2) COORDINATION WITH OTHER AGENCIES.—

21 The agencies referred to in paragraph (1) regarding
22 coordination are the Health Resources and Services
23 Administration, the National Institutes of Health,
24 and the Substance Abuse and Mental Health Serv-
25 ices Administration.

1 “(b) DESIGNATED ENTITIES.—With respect to the
2 State involved, an entity other than the State may receive
3 an award under subsection (a) only if the entity—

4 “(1) is a public or nonprofit private academic
5 organization (or other public or nonprofit private en-
6 tity); and

7 “(2) has been designated by the State to carry
8 out the purpose described in such subsection in the
9 State and to receive amounts under such subsection
10 in lieu of the State.

11 “(c) ROLE OF STATE AGENCY FOR PUBLIC
12 HEALTH.—A funding agreement for an award under sub-
13 section (a) is that—

14 “(1) if the applicant is a State, the award will
15 be administered by the State agency with the prin-
16 cipal responsibility for carrying out public health
17 programs; and

18 “(2) if the applicant is an entity designated
19 under subsection (b), the award will be administered
20 in consultation with such State agency.

21 “(d) STATEWIDE RESPONSIBILITIES; LIMITATION ON
22 EXPENDITURES.—

23 “(1) STATEWIDE RESPONSIBILITIES.—A fund-
24 ing agreement for an award under subsection (a) is
25 that the applicant involved will—

1 “(A) operate a clearinghouse to maintain
2 and disseminate information on community
3 health advisor programs (and similar programs)
4 in the State, including information on develop-
5 ing and operating such programs, on training
6 individuals to participate in the programs, and
7 on evaluation of the programs;

8 “(B) collaborate with schools of public
9 health to provide to community health advisor
10 programs in the State technical assistance in
11 training and supervising community health ad-
12 visors under section 2787(g)(1); and

13 “(C) coordinate the activities carried out in
14 the State under the award, including coordina-
15 tion between the various community health ad-
16 visor programs and coordination between such
17 programs and related activities of the State and
18 of other public or private entities.

19 “(2) LIMITATION.—A funding agreement for an
20 award under subsection (a) is that the applicant in-
21 volved will not expend more than 15 percent of the
22 award in the aggregate for carrying out paragraph
23 (1) and for the expenses of administering the award
24 with respect to the State involved, including the
25 process of receiving payments from the Secretary

1 under the award, allocating the payments among the
2 entities that are to develop and operate the commu-
3 nity health advisor programs involved, and monitor-
4 ing compliance with the funding agreements made
5 under this subtitle by the applicant.

6 **“SEC. 2786. REQUIREMENTS REGARDING COMMUNITY**
7 **HEALTH ADVISOR PROGRAMS.**

8 “(a) PURPOSE OF AWARD; HEALTHY PEOPLE 2000
9 OBJECTIVES.—

10 “(1) IN GENERAL.—Subject to paragraph (2), a
11 funding agreement for an award under section 2785
12 for an applicant is that the purpose of the award is,
13 through community health advisor programs under
14 subsection (b), to assist the State involved in attain-
15 ing the Healthy People 2000 Objectives.

16 “(2) AUTHORITY REGARDING SELECTION OF
17 PRIORITY OBJECTIVES.—With respect to compliance
18 with the agreement made under paragraph (1), an
19 applicant receiving an award under section 2785
20 may, from among the various Healthy People 2000
21 Objectives, select one or more Objectives to be given
22 priority in the operation of a community health advi-
23 sor program of the applicant, subject to the appli-
24 cant selecting such priorities in consultation with the

1 entity that is to carry out the program and the local
2 health department involved.

3 “(b) REQUIREMENTS FOR PROGRAMS.—

4 “(1) IN GENERAL.—A funding agreement for
5 an award under section 2785 for an applicant is
6 that, in expending the award, the purpose described
7 in subsection (a)(1) will be carried out in accordance
8 with the following:

9 “(A) For each community for which the
10 purpose is to be carried out, the applicant will
11 establish a program in accordance with this
12 subsection.

13 “(B) The program will be carried out in a
14 community only if the applicant has, under sec-
15 tion 2787(a), identified the community as hav-
16 ing a significant need for the program.

17 “(C) The program will be operated by a
18 public or nonprofit private entity with experi-
19 ence in providing health or health-related social
20 services to individuals who are underserved with
21 respect to such services.

22 “(D) The services of the program, as spec-
23 ified in paragraph (2), will be provided prin-
24 cipally by community health advisors (as de-
25 fined in subsection (d)).

1 “(2) AUTHORIZED PROGRAM SERVICES.—For
2 purposes of paragraph (1)(D), the services specified
3 in this paragraph for a program are as follows:

4 “(A) The program will collaborate with
5 health care providers and related entities in
6 order to facilitate the provision of health serv-
7 ices and health-related social services (including
8 collaborating with local health departments,
9 community health centers, public hospital sys-
10 tems, migrant health centers, rural health clin-
11 ics, hospitals, physicians and nurses, providers
12 of health education, pre-school facilities for chil-
13 dren, elementary and secondary schools, and
14 providers of social services).

15 “(B) The program will provide public edu-
16 cation on health promotion and on the preven-
17 tion of diseases, illnesses, injuries, and disabil-
18 ities, and will facilitate the appropriate use of
19 available health services and health-related so-
20 cial services.

21 “(C) The program will provide health-re-
22 lated counseling.

23 “(D) The program will provide referrals
24 for available health services and health-related
25 social services.

1 “(E) For the purpose of increasing the ca-
2 capacity of individuals to utilize health services
3 and health-related social services under Federal,
4 State, and local programs, the following condi-
5 tions will be met:

6 “(i) The program will assist individ-
7 uals in establishing eligibility under the
8 programs and in receiving the services or
9 other benefits of the programs.

10 “(ii) The program will provide such
11 other services as the Secretary determines
12 to be appropriate, which services may in-
13 clude (but are not limited to) transpor-
14 tation and translation services.

15 “(F) The program will provide outreach
16 services to inform the community of the avail-
17 ability of the services of the program.

18 “(c) PRIORITY FOR MEDICALLY UNDERSERVED COM-
19 MUNITIES.—A funding agreement for an award under sec-
20 tion 2785 is that the applicant involved will give priority
21 to developing and operating community health advisor
22 programs for medically underserved communities.

23 “(d) DEFINITION OF COMMUNITY HEALTH ADVI-
24 SOR.—For purposes of this part, the term ‘community
25 health advisor’ means an individual—

1 “(1) who has demonstrated the capacity to
2 carry out one or more of the authorized program
3 services;

4 “(2) who, for not less than 1 year, has been a
5 resident of the community in which the community
6 health advisor program involved is to be operated;
7 and

8 “(3) is a member of a socioeconomic group to
9 be served by the program.

10 **“SEC. 2787. ADDITIONAL AGREEMENTS.**

11 “(a) IDENTIFICATION OF COMMUNITY NEEDS.—A
12 funding agreement for an award under section 2785 is
13 that the applicant involved will—

14 “(1) identify the needs of the community in-
15 volved for the authorized program services, including
16 the identifying of the resources of the community
17 that are available for carrying out the program;

18 “(2) in identifying such needs, consult with
19 members of the community, with individuals and
20 programs that provide health services in the commu-
21 nity, and with individuals and programs that provide
22 health-related social services in the community; and

23 “(3) consider such needs in carrying out a com-
24 munity health advisor program for the community.

25 “(b) MATCHING FUNDS.—

1 “(1) IN GENERAL.—With respect to the cost of
2 carrying out a community health advisor program, a
3 funding agreement for an award under section 2785
4 is that the applicant involved will make available (di-
5 rectly or through donations from public or private
6 entities) non-Federal contributions toward such cost
7 in an amount that is not less than 25 percent of
8 such cost.

9 “(2) DETERMINATION OF AMOUNT CONTRIB-
10 UTED.—

11 “(A) Non-Federal contributions required in
12 paragraph (1) may be in cash or in kind, fairly
13 evaluated, including plant, equipment, or serv-
14 ices. Amounts provided by the Federal Govern-
15 ment, or services assisted or subsidized to any
16 significant extent by the Federal Government,
17 may not be included in determining the amount
18 of such non-Federal contributions.

19 “(B) With respect to the State in which
20 the community health advisor program involved
21 is to be carried out, amounts provided by the
22 State in compliance with subsection (c) shall be
23 included in determining the amount of non-Fed-
24 eral contributions under paragraph (1).

1 “(c) MAINTENANCE OF EFFORT.—With respect to
2 the purposes for which an award under section 2785 is
3 authorized in this subtitle to be expended, the Secretary
4 may make such an award only if the State involved agrees
5 to maintain expenditures of non-Federal amounts for such
6 purposes at a level that is not less than the level of such
7 expenditures maintained by the State for the fiscal year
8 preceding the first fiscal year for which such an award
9 is made with respect to the State.

10 “(d) CULTURAL CONTEXT OF SERVICES.—A funding
11 agreement for an award under section 2785 for an appli-
12 cant is that the services of the community health advisor
13 program involved will be provided in the language and cul-
14 tural context most appropriate for the individuals served
15 by the program, and that for such purpose the community
16 health advisors of the program will include an appropriate
17 number of advisors who are fluent in both English and
18 not less than one of the other relevant languages.

19 “(e) NUMBER OF PROGRAMS PER AWARD; PRO-
20 GRAMS FOR URBAN AND RURAL AREAS.—A funding
21 agreement for an award under section 2785 for an appli-
22 cant is that the number of community health advisor pro-
23 grams operated in the State with the award will be deter-
24 mined by the Secretary, except that (subject to section
25 2786(b)(1)(B)) such a program will be carried out in not

1 less than one urban area of the State, and in not less than
2 one rural area of the State.

3 “(f) ONGOING SUPERVISION OF ADVISORS.—A fund-
4 ing agreement for an award under section 2785 is that
5 the applicant involved will ensure that each community
6 health advisor program operated with the award provides
7 for the ongoing supervision of the community health advi-
8 sors of the program, and that the individuals serving as
9 supervisors in the program will include 1 or more public
10 health nurses with field experience and managerial experi-
11 ence.

12 “(g) CERTAIN EXPENDITURES.—

13 “(1) TRAINING; CONTINUING EDUCATION.—
14 Funding agreements for an award under section
15 2785 include the following:

16 “(A) The applicant involved will ensure
17 that, for each community health advisor pro-
18 gram operated with the award, a program is
19 carried out to train community health advisors
20 to provide the authorized program services, in-
21 cluding practical experiences in providing serv-
22 ices for health promotion and disease preven-
23 tion.

1 “(B) The program of training will provide
2 for the continuing education of the community
3 health advisors.

4 “(C) Not more than 15 percent of the
5 award will be expended for the program of
6 training.

7 “(2) COMPENSATION.—With respect to compli-
8 ance with the agreements made under this subtitle,
9 the purposes for which an award under section 2785
10 may be expended include providing compensation for
11 the services of community health advisors.

12 “(h) REPORTS TO SECRETARY; ASSESSMENT OF EF-
13 FECTIVENESS.—Funding agreements for an award under
14 section 2785 for an applicant include the following:

15 “(1) The applicant will ensure that, for each
16 fiscal year for which a community health advisor
17 program receives amounts from the award, the pro-
18 gram will prepare a report describing the activities
19 of the program for such year, including—

20 “(A) a specification of the number of indi-
21 viduals served by the program;

22 “(B) a specification of the entities with
23 which the program has collaborated in carrying
24 out the purpose described in section 2786(a)(1);
25 and

1 “(C) an assessment of the extent of the ef-
2 fectiveness of the program in carrying out such
3 purpose.

4 “(2) Such reports will include such additional
5 information regarding the applicant and the pro-
6 grams as the Secretary may require.

7 “(3) The applicant will prepare the reports as
8 a single document and will submit the document to
9 the Secretary not later than February 1 of the fiscal
10 year following the fiscal year for which the reports
11 were prepared.

12 **“SEC. 2788. APPLICATION FOR ASSISTANCE; STATE PLAN.**

13 For purposes of section 2785, an application is in ac-
14 cordance with this section if—

15 “(1) the application is submitted not later than
16 the date specified by the Secretary;

17 “(2) the application contains each funding
18 agreement described in this subtitle;

19 “(3) the application contains a State plan de-
20 scribing the purposes for which the award is to be
21 expended in the State, including a description of the
22 manner in which the applicant will comply with each
23 such funding agreement; and

24 “(4) the application is in such form, is made in
25 such manner, and contains such agreements, assur-

1 ances, and information as the Secretary determines
2 to be necessary to carry out this subtitle.

3 **“SEC. 2789. DETERMINATION OF AMOUNT OF ALLOTMENT.**

4 “(a) IN GENERAL.—For purposes of section 2785,
5 the allotment under this section with respect to a State
6 for a fiscal year is the sum of the respective amounts de-
7 termined for the State under subsection (b) and sub-
8 section (c).

9 “(b) AMOUNT RELATING TO POPULATION.—For pur-
10 poses of subsection (a), the amount determined under this
11 subsection is the product of—

12 “(1) an amount equal to 50 percent of the
13 amount appropriated under section 2784 for the fis-
14 cal year and available for awards under section
15 2785; and

16 “(2) the percentage constituted by the ratio
17 of—

18 “(A) the number of individuals residing in
19 the State involved; to

20 “(B) the sum of the respective amounts
21 determined for each State under subparagraph
22 (A).

23 “(c) AMOUNT RELATING TO POVERTY LEVEL.—For
24 purposes of subsection (a), the amount determined under
25 this subsection is the product of—

1 “(1) the amount determined under subsection
2 (b)(1); and

3 “(2) the percentage constituted by the ratio
4 of—

5 “(A) the number of individuals residing in
6 the State whose income is at or below an
7 amount equal to 200 percent of the official pov-
8 erty line; to

9 “(B) the sum of the respective amounts
10 determined for each State under subparagraph
11 (A).

12 **“SEC. 2790. QUALITY ASSURANCE; COST-EFFECTIVENESS.**

13 “The Secretary shall establish guidelines for assuring
14 the quality of community health advisor programs (includ-
15 ing quality in the training of community health advisors)
16 and for assuring the cost-effectiveness of the programs.
17 A funding agreement for an award under section 2785 is
18 that the applicant involved will carry out such programs
19 in accordance with the guidelines.

20 **“SEC. 2791. EVALUATIONS; TECHNICAL ASSISTANCE.**

21 “(a) EVALUATIONS.—The Secretary shall conduct
22 evaluations of community health advisor programs and
23 disseminate information developed as result of the evalua-
24 tions to the States. In conducting such evaluations, the
25 Secretary shall determine whether the programs are in

1 compliance with the guidelines established under section
2 2790.

3 “(b) TECHNICAL ASSISTANCE.—The Secretary may
4 provide technical assistance to recipients of awards under
5 section 2785 with respect to the planning, development,
6 and operation of community health advisor programs.

7 “(c) GRANTS AND CONTRACTS.—The Secretary may
8 carry out this section directly or through grants, coopera-
9 tive agreements, or contracts.

10 “(d) LIMITATION ON EXPENDITURES.—Of the
11 amounts appropriated under section 2784 for a fiscal year,
12 the Secretary may reserve not more than 10 percent for
13 carrying out this section.

14 **“SEC. 2792. RULE OF CONSTRUCTION REGARDING PRO-**
15 **GRAMS OF INDIAN HEALTH SERVICE.**

16 This subtitle may not be construed as requiring the
17 Secretary to modify or terminate the program carried out
18 by the Director of the Indian Health Service and des-
19 igned by such Director as the Community Health Rep-
20 resentative Program. The Secretary shall ensure that sup-
21 port for such Program is not supplanted by awards under
22 section 2785. In communities in which both such Program
23 and a community health advisor program are being carried
24 out, the Secretary shall ensure that the community health
25 advisor program works in cooperation with, and as a

1 complement to, the Community Health Representative
2 Program.

3 **“SEC. 2793. DEFINITIONS.**

4 For purposes of this subtitle:

5 “(1) The term ‘authorized program services’,
6 with respect to a community health advisor program,
7 means the services specified in section 2786(b)(2).

8 “(2) The term ‘community health advisor’ has
9 the meaning given such term in section 2786(d).

10 “(3) The term ‘community health advisor pro-
11 gram’ means a program carried out under section
12 2786(b).

13 “(4) The term ‘financial assistance’, with re-
14 spect to an award under section 2785, means a
15 grant, cooperative agreement, or a contract.

16 “(5) The term ‘funding agreement’ means an
17 agreement required as a condition of receiving an
18 award under section 2785.

19 “(6) The term ‘official poverty line’ means the
20 official poverty line established by the Director of
21 the Office of Management and Budget and revised
22 by the Secretary in accordance with section 673(2)
23 of the Omnibus Budget Reconciliation Act of 1981,
24 which poverty line is applicable to the size of the
25 family involved.

1 “(7) The term ‘State involved’, with respect to
2 an applicant for an award under section 2785,
3 means the State in which the applicant is to carry
4 out a community health advisor program.

5 **“SEC. 2794. EFFECT OF INSUFFICIENT APPROPRIATIONS**
6 **FOR MINIMUM ALLOTMENTS.**

7 “(a) IN GENERAL.—If the amounts made available
8 under section 2784 for a fiscal year are insufficient for
9 providing each State (or entity designated by the State
10 pursuant to section 2785, as the case may be) with an
11 award under section 2785 in an amount equal to or great-
12 er than the amount specified in section 2789(a)(2), the
13 Secretary shall, from such amounts as are made available
14 under subsection (a), make such awards on a discretionary
15 basis.

16 “(b) RULE OF CONSTRUCTION.—For purposes of
17 subsection (a), awards under section 2785 are made on
18 a discretionary basis if the Secretary determines which
19 States (or entities designated by States pursuant to such
20 section, as the case may be) are to receive such awards,
21 subject to meeting the requirements of this subtitle for
22 such an award, and the Secretary determines the amount
23 of such awards.

1 **“PART 7—MENTAL HEALTH; SUBSTANCE ABUSE**

2 **“SEC. 2795. AUTHORIZATIONS OF APPROPRIATIONS FROM**
3 **FUND.**

4 “(a) IN GENERAL.—For the purpose of carrying out
5 this part, there are authorized to be appropriated from
6 the Fund \$100,000,000 for fiscal year 1995,
7 \$150,000,000 for fiscal year 1996, \$200,000,000 for fis-
8 cal year 1997, and \$250,000,000 for each of the fiscal
9 years 1998 through 2000.

10 “(b) ALLOCATION AMONG PROGRAMS.—Of the
11 amounts made available under subsection (a) for a fiscal
12 year—

13 “(1) the Secretary may reserve for carrying out
14 section 2797 such amounts as the Secretary deter-
15 mines to be appropriate; and

16 “(2) the Secretary shall, of the remaining
17 amounts, reserve 50 percent for carrying out sub-
18 section (a) of section 2796 and 50 percent for carry-
19 ing out subsection (b) of such section.

20 “(c) RELATION TO OTHER FUNDS.—The authoriza-
21 tions of appropriations established in subsection (a) are
22 in addition to any other authorizations of appropriations
23 that are available for the purpose described in such sub-
24 section.

1 **“SEC. 2796. SUPPLEMENTAL FORMULA GRANTS FOR**
2 **STATES REGARDING ACTIVITIES UNDER**
3 **PART B OF TITLE XIX.**

4 “(a) MENTAL HEALTH.—

5 “(1) IN GENERAL.—In the case of any State
6 that submits to the Secretary an application in ac-
7 cordance with subsection (e) for a fiscal year with
8 respect to mental health, the Secretary shall make a
9 grant to the State for the purposes authorized in
10 subsection (c) with respect to mental health. The
11 grant shall consist of the allotment determined
12 under paragraph (2) for the State for such year.

13 “(2) DETERMINATION OF ALLOTMENT.—For
14 purposes of paragraph (1), the allotment under this
15 paragraph for a State for a fiscal year shall be de-
16 termined as follows: With respect to the amount re-
17 served under section 2795(b)(2) for carrying out
18 this subsection, section 1918 shall be applied to such
19 amount to the same extent and in the same manner
20 as section 1918 is applied to the amount determined
21 under section 1918(a)(2).

22 “(b) SUBSTANCE ABUSE.—

23 “(1) IN GENERAL.—In the case of any State
24 that submits to the Secretary an application in ac-
25 cordance with subsection (e) for a fiscal year with
26 respect to substance abuse, the Secretary shall make

1 a grant to the State for the purposes authorized in
2 subsection (c) with respect to substance abuse. The
3 grant shall consist of the allotment determined
4 under paragraph (2) for the State for such year.

5 “(2) DETERMINATION OF ALLOTMENT.—For
6 purposes of paragraph (1), the allotment under this
7 paragraph for a State for a fiscal year shall be de-
8 termined as follows: With respect to the amount re-
9 served under section 2795(b)(2) for carrying out
10 this subsection, section 1933 shall be applied to such
11 amount to the same extent and in the same manner
12 as section 1933 is applied to the amount determined
13 pursuant to sections 1933(a)(1)(B)(i).

14 “(c) USE OF GRANTS.—

15 “(1) IN GENERAL.—With respect to the expend-
16 iture of a grant to a State under subsection (a) or
17 (b), the Secretary, subject to paragraph (3)—

18 “(A) shall designate as authorized expendi-
19 tures such of the activities described in para-
20 graph (2) with respect to mental health and
21 substance abuse, respectively, as the Secretary
22 determines to be appropriate; and

23 “(B) may make the grant only if the State
24 agrees to expend the grant in accordance with
25 the activities so designated.

1 “(2) DESCRIPTION OF ACTIVITIES.—The activi-
2 ties referred to in paragraph (1) are (as applicable
3 to the grant involved) the following:

4 “(A) For the purpose of increasing the ac-
5 cess of individuals to services relating to mental
6 health and substance abuse, the following serv-
7 ices: Transportation, community and patient
8 outreach, patient education, translation serv-
9 ices, and such other services as the Secretary
10 determines to be appropriate regarding such
11 purpose.

12 “(B) Improving the capacity of State and
13 local service systems to coordinate and monitor
14 mental health and substance abuse services, in-
15 cluding improvement of management informa-
16 tion systems, and establishment of linkages be-
17 tween public and private providers of mental
18 health and substance abuse services and pri-
19 mary care providers and health plans.

20 “(C) Providing incentives to integrate pub-
21 lic and private systems for the treatment of
22 mental health and substance abuse disorders.

23 “(D) Any activity for which a grant under
24 section 1911 or section 1921 is authorized to be
25 expended.

1 “(3) REPORTS ON INTEGRATION OF SERVICES
2 INTO HEALTH CARE DELIVERY SYSTEM.—

3 “(A) The Secretary may make a grant
4 under subsection (a) or (b) for a fiscal year
5 only if the State involved agrees to report to the
6 Secretary for the fiscal year, in accordance with
7 criteria under subparagraph (B), information
8 on—

9 “(i) any activities carried out by the
10 State toward integrating the provision of
11 mental health and substance abuse services
12 in the State into the general health care
13 delivery system in the State;

14 “(ii) the extent to which the activities
15 have been effective;

16 “(iii) the difficulties encountered in
17 carrying out such activities; and

18 “(iv) the recommendations of the
19 State regarding such activities.

20 “(B) The Secretary shall establish criteria
21 for the uniform collecting and reporting of data
22 under subparagraph (A).

23 “(C) The Secretary shall disseminate to
24 the States the information by the Secretary
25 under subparagraph (A), as appropriate.

1 “(D) A State may expend a grant under
2 subsection (a) or (b) for the costs of complying
3 with subparagraph (A).

4 “(d) MAINTENANCE OF EFFORT.—

5 “(1) IN GENERAL.—With respect to the activi-
6 ties for which a grant under subsection (a) or (b) is
7 to be made, the Secretary may make the grant only
8 if the State involved agrees to maintain expenditures
9 of non-Federal amounts for such activities at a level
10 that is not less than the level of such expenditures
11 maintained by the State for the fiscal year preceding
12 the first fiscal year for which the State receives such
13 a grant.

14 “(2) WAIVER.—The Secretary may waive all or
15 part of the requirement established for a State
16 under paragraph (1) if—

17 “(A) the State agrees that the amounts
18 that otherwise would have been subject to such
19 requirement will be expended for the purpose of
20 developing community-based systems of care to
21 promote the eventual integration of the public
22 and private systems for treatment of mental
23 health, or substance abuse, as applicable to the
24 grant;

1 “(b) PRIORITIES REGARDING USE OF FUNDS.—In
2 providing loans or loan guarantees under subsection (a),
3 the Secretary shall give priority to authorizing the use of
4 amounts for projects in health professional shortage areas
5 or in geographic area in which there resides a significant
6 number of individuals who are members of a medically un-
7 derserved population.

8 “(c) APPLICABILITY OF CERTAIN PROVISIONS.—The
9 Secretary may provide loans or loan guarantees under
10 subsection (a) only if the applicant involved agrees that,
11 except to the extent inconsistent with the purpose de-
12 scribed in subsection (a), subpart C of part 2 applies to
13 such assistance to the same extent and in the same man-
14 ner as such subpart applies to loans and loan guarantees
15 under section 2773.

16 **“Subtitle G—General Provisions**

17 **“SEC. 2798. REQUIREMENT REGARDING ACCREDITATION** 18 **OF SCHOOLS, DEPARTMENTS, AND PRO-** 19 **GRAMS.**

20 “Except as indicated otherwise in this title:

21 “(1) A reference in this title to a school of pub-
22 lic health, a school of nursing, or any other entity
23 providing education or training in a health profes-
24 sion (whether a school, department, program, or

1 other entity) is a reference to the entity as defined
2 under section 799 or 853.

3 “(2) If an entity is not defined in either of such
4 sections, the reference in this title to the entity has
5 the meaning provided by the Secretary, except that
6 the Secretary shall require for purposes of this title
7 that the entity be accredited for the provision of the
8 education or training involved.

9 **“SEC. 2799. DEFINITIONS.**

10 “(a) IN GENERAL.—For purposes of this title:

11 “(1) The term ‘Healthy People 2000 Objectives’
12 means the objectives established by the Secretary to-
13 ward the goals of increasing the span of healthy life,
14 reducing health disparities among various popu-
15 lations, and providing access to preventive services,
16 which objectives apply to the health status of the
17 population of the United States for the year 2000.

18 “(2) The term ‘medically underserved commu-
19 nity’ means—

20 (A) a community that has a substantial
21 number of individuals who are members of a
22 medically underserved population, as defined in
23 section 330; or

1 (B) a community a significant portion of
 2 which is a health professional shortage area
 3 designated under section 332.

4 **Subtitle B—Comprehensive School**
 5 **Health Education**

6 **PART 1—GENERAL PROVISIONS**

7 **SEC. 111. TABLE OF CONTENTS FOR SUBTITLE.**

8 The table of contents for this subtitle is as follows:

Subtitle B—Comprehensive School Health Education

Part 1—General Provisions

Sec. 111. Table of contents for subtitle.
 Sec. 112. Authorizations of appropriations from Fund.
 Sec. 113. Definitions.

Part 2—Purposes

Sec. 121. Purposes.

Part 3—Grants to State Education Agencies

SUBPART A—PLANNING GRANTS FOR STATE EDUCATION AGENCIES

Sec. 131. Application for grant.
 Sec. 132. Approval of Secretary.
 Sec. 133. Amount of grant.
 Sec. 134. Authorized activities.

SUBPART B—IMPLEMENTATION GRANTS FOR STATE EDUCATION AGENCIES

Sec. 141. Application for grant.
 Sec. 142. Selection of grantees.
 Sec. 143. Amount of grant.
 Sec. 144. Authorized activities; limitation on administrative costs.
 Sec. 145. Subgrants to local educational agencies.

SUBPART C—STATE AND LOCAL REPORTS

Sec. 151. State and local reports.

Part 4—Grants to Certain Local Educational Agencies

SUBPART A—ELIGIBILITY

Sec. 161. Substantial need of area served by agency.

SUBPART B—PLANNING GRANTS FOR LOCAL EDUCATION AGENCIES

Sec. 171. Application for grant.

Sec. 172. Selection of grantees.
 Sec. 173. Amount of grant.
 Sec. 174. Authorized activities.

SUBPART C—IMPLEMENTATION GRANTS FOR LOCAL EDUCATIONAL AGENCIES

Sec. 181. Application for grant.
 Sec. 182. Selection of grantees.
 Sec. 183. Amount of grant.
 Sec. 184. Authorized activities.
 Sec. 185. Reports.

1 **SEC. 112. AUTHORIZATIONS OF APPROPRIATIONS FROM**
 2 **FUND.**

3 (a) FUNDING FOR SCHOOL HEALTH EDUCATION.—

4 For the purpose of carrying out this subtitle, there are
 5 authorized to be appropriated from the Fund
 6 \$100,000,000 for fiscal year 1995, \$125,000,000 for fis-
 7 cal year 1996, \$150,000,000 for fiscal year 1997,
 8 \$175,000,000 for fiscal year 1998, \$200,000,000 for fis-
 9 cal year 1999, and \$200,000,000 for fiscal year 2000.

10 (b) ALLOCATIONS.—Of the amounts appropriated
 11 under subsection (a) for a fiscal year—

12 (1) the Secretary may reserve not more than
 13 \$13,000,000 for carrying out part 4;

14 (2) the Secretary may reserve not more than
 15 \$5,000,000 to support national leadership activities,
 16 such as research and demonstration, evaluation, and
 17 training and technical assistance in comprehensive
 18 school health education; and

1 (3) the Secretary may reserve not more than 5
2 percent for administrative expenses regarding parts
3 3 and 4.

4 (c) RELATION TO OTHER FUNDS.—The authoriza-
5 tions of appropriations established in subsection (a) are
6 in addition to any other authorizations of appropriations
7 that are available for the purpose described in such sub-
8 section.

9 **SEC. 113. DEFINITIONS.**

10 (a) COMPREHENSIVE SCHOOL HEALTH EDUCATION
11 PROGRAM.—For purposes of this subtitle, the term “com-
12 prehensive school health education program” means a pro-
13 gram that addresses locally relevant priorities and meets
14 the following conditions:

15 (1) The program is sequential, and age and de-
16 velopmentally appropriate.

17 (2) The program is provided, in the area served
18 by the program, every year for all students from kin-
19 dergarten through grade 12.

20 (3) The program provides comprehensive health
21 education, including the following components:

22 (A) Community health.

23 (B) Environmental health.

24 (C) Personal health.

25 (D) Family life.

1 (E) Growth and development.

2 (F) Nutritional health.

3 (G) Prevention and control of diseases, dis-
4 abilities, and genetic disorders.

5 (H) Safety, prevention, and treatment of
6 injuries, including motor vehicle injuries.

7 (I) Substance abuse, including tobacco and
8 alcohol use.

9 (J) Consumer health, including education
10 to ensure that students understand the benefits
11 and appropriate use of medical services, includ-
12 ing immunizations and other clinical preventive
13 services.

14 (K) Mental health.

15 (4) The program promotes personal responsibil-
16 ity for a healthy lifestyle and provides the knowledge
17 and skills necessary to adopt a healthy lifestyle, in-
18 cluding teaching the legal, social, and health con-
19 sequences of behaviors that pose health risks.

20 (5) The program is sensitive to cultural and
21 ethnic issues in the content of instructional mate-
22 rials and approaches.

23 (6) The program includes activities that sup-
24 port instruction.

1 (7) The program includes activities to promote
2 involvement by parents, families, community organi-
3 zations, and other appropriate entities.

4 (8) The program is coordinated with other Fed-
5 eral, State, and local health education and preven-
6 tion programs, including such programs under title
7 XXVII of the Public Health Service Act, and with
8 other Federal, State and local education programs,
9 including those carried out under title I of the Ele-
10 mentary and Secondary Education Act of 1965.

11 (9) The program focuses on the particular
12 health concerns of the students in the State, school
13 district, or school, as the case may be.

14 (b) OTHER DEFINITIONS.—For purposes of this sub-
15 title:

16 (1) The term “local educational agency” has
17 the meaning given such term in section 1471(12) of
18 the Elementary and Secondary Education Act of
19 1965.

20 (2) The term “State educational agency” has
21 the meaning given such term in section 1471(23) of
22 the Elementary and Secondary Education Act of
23 1965.

PART 2—PURPOSES**SEC. 121. PURPOSES.**

Subject to the subsequent provisions of this subtitle, the purposes of this subtitle are as follows:

(1) To support the provision in kindergarten through grade 12 of sequential, age-appropriate, comprehensive health education programs that address locally relevant priorities.

(2) To establish a national framework within which States can create comprehensive school health education programs that—

(A) target the health risk behaviors accounting for the majority of the morbidity and mortality among youth and adults, including the following: Tobacco use; alcohol and other drug abuse; sexual behaviors resulting in infection with the human immunodeficiency virus, in other sexually transmitted diseases or in unintended pregnancy; behaviors resulting in intentional and unintentional injuries; dietary patterns resulting in disease; and sedentary lifestyles; and

(B) are integrated with plans and programs in the State, if any, under title III of the Goals 2000: Educate America Act and those targeting health promotion and disease preven-

1 tion goals related to the national health objec-
2 tives set forth in Healthy People 2000.

3 (3) To pay the initial costs of planning and es-
4 tablishing Statewide comprehensive school health
5 education programs that will be implemented and
6 maintained with local, State, and other Federal re-
7 sources.

8 (4) To support Federal activities such as re-
9 search and demonstrations, evaluations, and training
10 and technical assistance regarding comprehensive
11 school health education.

12 (5) To motivate youth, especially low-achieving
13 youth, to stay in school, avoid teen pregnancy, and
14 strive for success by providing intensive, high-quality
15 health education programs that include peer-teach-
16 ing, family, and community involvement.

17 (6) To improve the knowledge and skills of chil-
18 dren and youth by integrating academic and experi-
19 ential learning in health education with other ele-
20 ments of a comprehensive school health program.

21 (7) To further the National Education Goals
22 set forth in title I of the Goals 2000: Educate Amer-
23 ica Act and the national health objectives set forth
24 in Healthy People 2000.

1 **PART 3—GRANTS TO STATE EDUCATION**

2 **AGENCIES**

3 **Subpart A—Planning Grants for State Education**

4 **Agencies**

5 **SEC. 131. APPLICATION FOR GRANT.**

6 (a) IN GENERAL.—Any State educational agency
7 that wishes to receive a planning grant under this part
8 shall submit an application to the Secretary of Health and
9 Human Services, at such time and in such manner as the
10 Secretary may require.

11 (b) APPLICATION; JOINT DEVELOPMENT; CON-
12 TENTS.—An application under subsection (a) shall be
13 jointly developed by the State educational agency and the
14 State health agencies of the State involved, and shall con-
15 tain the following:

16 (1) An assessment of the State’s need for com-
17 prehensive school health education, using goals es-
18 tablished by the Department of Health and Human
19 Services and the Department of Education and the
20 State’s school improvement plan, if any, under title
21 III of Goals 2000: Educate America Act.

22 (2) A description of how the State educational
23 agency will collaborate with the State public health
24 agency in the planning, development, and implemen-
25 tation of a comprehensive school health education

1 program in the State, including coordination of ex-
2 isting health education programs and resources.

3 (3) A plan to build capacity at the State and
4 local levels to provide staff development and tech-
5 nical assistance to local educational agency and local
6 health agency personnel involved with comprehensive
7 school health education.

8 (4) A preliminary plan for evaluating com-
9 prehensive school health education activities.

10 (5) Information demonstrating that the State
11 has established a State-level advisory council whose
12 membership includes representatives of the State
13 agencies with principal responsibilities for programs
14 regarding health, education, and mental health.

15 (6) A timetable and proposed budget for the
16 planning process.

17 (7) Such other information and assurances as
18 the Secretary may require.

19 (c) NUMBER OF GRANTS.—States may receive one
20 planning grant annually and no more than two planning
21 grants may be awarded to any one State.

22 **SEC. 132. APPROVAL OF SECRETARY.**

23 The Secretary may approve the application of a State
24 under section 131 if the Secretary determines that—

1 (1) the application meets the requirements of
2 this part; and

3 (2) there is a substantial likelihood that the
4 State will be able to develop and implement a com-
5 prehensive school health education plan that com-
6 plies with the requirements of part 2.

7 **SEC. 133. AMOUNT OF GRANT.**

8 For any fiscal year, the minimum grant to any State
9 under this part is an amount determined by the Secretary
10 to be necessary to enable the State to conduct the plan-
11 ning process and the maximum such grant is \$500,000.

12 **SEC. 134. AUTHORIZED ACTIVITIES.**

13 A State may use funds received under this part only
14 for the following:

15 (1) To establish and carry out the State plan-
16 ning process.

17 (2) To conduct Statewide or sub-State regional
18 coordination and collaboration activities for local
19 educational agencies, local health agencies, schools
20 of public health, departments of preventive health or
21 community medicine, and other agencies and organi-
22 zations, as appropriate.

23 (3) To conduct activities to build capacity to
24 provide staff development and technical assistance
25 services to local educational agency and local health

1 agency personnel involved with comprehensive school
2 health education.

3 (4) To develop student learning objectives and
4 assessment instruments.

5 (5) To work with State and local health agen-
6 cies and State and local educational agencies to re-
7 duce barriers to the implementation of comprehen-
8 sive school health education programs in schools.

9 (6) To prepare the plan required to receive an
10 implementation grant under part 2.

11 (7) To adopt, validate, and disseminate curricu-
12 lum models and program strategies, if the Secretary
13 determines that such activities are necessary to
14 achieving the objectives of the State's program.

15 **Subpart B—Implementation Grants for State**
16 **Education Agencies**

17 **SEC. 141. APPLICATION FOR GRANT.**

18 (a) IN GENERAL.—Any State that wishes to receive
19 an implementation grant under this part shall submit an
20 application to the Secretary of Health and Human Serv-
21 ices, at such time, in such manner, and containing such
22 information and assurances as the Secretary may require.

23 (b) APPLICATION AND STATE PLAN; JOINT DEVEL-
24 OPMENT; CONTENTS.—An application under subsection
25 (a) shall be jointly developed by the State educational

1 agency and the State health agencies of the State involved,
2 and shall include a State plan for comprehensive school
3 health education programs (as defined in section 113) that
4 describes the following:

5 (1) The State's goals and objectives for those
6 programs.

7 (2) How the State will allocate funds to local
8 educational agencies in accordance with section 144.

9 (3) How the State will coordinate programs
10 under this part with other local, State and Federal
11 health education programs.

12 (4) How comprehensive school health education
13 programs will be coordinated with other local, State
14 and Federal education programs, such as programs
15 under title I of the Elementary and Secondary Edu-
16 cation Act of 1965, with the State's school improve-
17 ment plan, if any, under title III of the Goals 2000:
18 Educate America Act, and with any similar pro-
19 grams.

20 (5) How the State has worked with State and
21 local education agencies and with State and local
22 health agencies to reduce barriers to implementing
23 comprehensive school health education programs.

1 (6) How the State will monitor the implementa-
2 tion and effectiveness of such programs by local edu-
3 cational agencies.

4 (7) How the State will build capacity for profes-
5 sional development of health educators and the re-
6 gional deployment and employment of such edu-
7 cators.

8 (8) How the State will provide staff develop-
9 ment and technical assistance to local educational
10 agencies.

11 (9) The respective roles of the State educational
12 agency, local educational agencies, the State health
13 agency, and the local health agencies in developing
14 and implementing such school health education pro-
15 grams.

16 (10) How such school health education pro-
17 grams will be tailored to the extent practicable to be
18 culturally and linguistically sensitive and responsive
19 to the various needs of the students served, includ-
20 ing individuals with disabilities, and individuals from
21 disadvantaged backgrounds (including racial and
22 ethnic minorities).

23 (11) How the State will evaluate and report on
24 the State's progress toward attaining the goals and
25 objectives described in paragraph (1).

1 **SEC. 142. SELECTION OF GRANTEES.**

2 (a) SELECTION OF GRANTEES.—The Secretary shall
3 establish criteria for the competitive selection of grantees
4 under this part.

5 (b) OPPORTUNITY FOR PLANNING GRANT.—If the
6 Secretary does not approve a State’s application under
7 this part and determines that the State could benefit from
8 a planning grant under part 1, the Secretary shall inform
9 the State of any planning grant funds that may be avail-
10 able to it under part 1, subject to section 131(c).

11 **SEC. 143. AMOUNT OF GRANT.**

12 (a) IN GENERAL.—For any fiscal year, the minimum
13 grant to any State under this part is an amount deter-
14 mined by the Secretary to be necessary to enable the State
15 to conduct the implementation process.

16 (b) CRITERIA.—In determining the amount of any
17 such grant, the Secretary may consider such factors as
18 the number of children enrolled in schools in the State,
19 the number of school-aged children living in poverty in the
20 State, and the scope and quality of the State’s plan.

21 **SEC. 144. AUTHORIZED ACTIVITIES; LIMITATION ON ADMIN-**
22 **ISTRATIVE COSTS.**

23 (a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
24 CIES.—Each State that receives funds under this part for
25 any fiscal year shall retain not more than 75 percent of
26 those funds in the first year, 50 percent of those funds

1 in the second and third years, and 25 percent of those
2 funds in each succeeding year. Those funds not retained
3 by the State shall be used to make grants to local edu-
4 cational agencies in accordance with section 145.

5 b) STATE-LEVEL ACTIVITIES.—Each State shall use
6 retained funds for any fiscal year for the following pur-
7 poses:

8 (1) To conduct Statewide or sub-State regional
9 coordination and collaboration activities.

10 (2) To adapt, validate, or disseminate program
11 models or strategies for comprehensive school health
12 education.

13 (3) To build capacity to deliver staff develop-
14 ment and technical assistance services to local edu-
15 cational agencies, and State and local health agen-
16 cies.

17 (4) To promote program activities involving
18 families and coordinating program activities with
19 community groups and agencies.

20 (5) To evaluate and report to the Secretary on
21 the progress made toward attaining the goals and
22 objectives described in section 131(b)(1).

23 (6) To conduct such other activities to achieve
24 the objectives of this part as the Secretary may by
25 regulation authorize.

1 (c) STATE ADMINISTRATION.—Of the amounts re-
2 ceived by a State for a fiscal year under this part and
3 remaining after any grants to local educational agencies
4 made from such amounts, the State may use up to 10
5 percent for the costs of administering such amounts, in-
6 cluding the activities of the State advisory council and
7 monitoring the performance of local educational agencies.

8 **SEC. 145. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**

9 (a) APPLICATION FOR GRANT.—Any local edu-
10 cational agency that wishes to receive a grant under this
11 part shall submit an application to the State, containing
12 such information and assurances as the State may require,
13 including a description of the following:

14 (1) The local educational agency's goals and ob-
15 jectives for comprehensive school health education
16 programs.

17 (2) How the local educational agency will con-
18 centrate funds in high-need schools and provide suf-
19 ficient funds to targeted schools to ensure the imple-
20 mentation of comprehensive programs.

21 (3) How the local educational agency will mon-
22 itor the implementation of these programs.

23 (4) How the local educational agency will en-
24 sure that school health education programs are tai-
25 lored to the extent practicable to be culturally and

1 linguistically sensitive and responsive to the various
2 needs of the students served, including individuals
3 with disabilities, and individuals from disadvantaged
4 backgrounds (including racial and ethnic minorities).

5 (5) How the local educational agency, in con-
6 sultation with the local health agency, will evaluate
7 and report on its progress toward attaining the goals
8 and objectives described in paragraph (1).

9 (b) SELECTION OF SUBGRANTEES.—Each State shall
10 give priority to applications from local educational agen-
11 cies serving areas with high needs, as indicated by criteria
12 developed by the State, which shall include, but need not
13 be limited to, high rates of any of the following:

14 (1) Poverty among school-aged youth.

15 (2) Births to adolescents.

16 (3) Sexually transmitted diseases among school-
17 aged youth.

18 (4) Drug and alcohol use among school-aged
19 youth.

20 (5) Violence among school-aged youth.

21 (6) Obesity in school-aged youth.

22 (c) AUTHORIZED ACTIVITIES.—Each local edu-
23 cational agency that receives a grant under this part shall
24 use the grant funds to implement comprehensive school
25 health education programs, as defined in section 113. The

1 purposes for which the grant may be expended include
2 compensating individuals who teach such programs.

3 **Subpart C—State and Local Reports**

4 **SEC. 151. STATE AND LOCAL REPORTS.**

5 (a) STATE REPORTS.—Each State that receives a
6 grant under this part shall collect and submit to the Sec-
7 retary such data and other information on State and local
8 programs as the Secretary may require.

9 (b) IN GENERAL.—Each local educational agency
10 that receives a grant under part 2 shall collect and report
11 to the State such data and other information as the Sec-
12 retary may require.

13 **PART 4—GRANTS TO CERTAIN LOCAL**
14 **EDUCATIONAL AGENCIES**

15 **Subpart A—Eligibility**

16 **SEC. 161. SUBSTANTIAL NEED OF AREA SERVED BY**
17 **AGENCY.**

18 Any local educational agency is eligible for a grant
19 under this part for any fiscal year if—

20 (1) the agency enrolls at least 25,000 students;

21 and

22 (2) the geographic area served by the agency
23 has a substantial need for such a grant, relative to
24 other geographic areas in the United States.

1 **Subpart B—Planning Grants for Local Education**
2 **Agencies**

3 **SEC. 171. APPLICATION FOR GRANT.**

4 (a) IN GENERAL.—Any local educational agency that
5 wishes to receive a planning grant under this part shall
6 submit an application to the Secretary of Health and
7 Human Services at such time and in such manner as the
8 Secretary may require.

9 (b) STATE EDUCATIONAL AGENCY REVIEW.—Each
10 such local educational agency, before submitting its appli-
11 cation to the Secretary, shall submit the application to the
12 State educational agency for comment by such agency and
13 by the State health agencies of the State.

14 (c) CONTENTS OF APPLICATIONS.—Each such appli-
15 cation shall contain the following:

16 (1) An assessment of the local educational
17 agency's need for comprehensive school health edu-
18 cation, using goals established by the Department of
19 Health and Human Services and the Department of
20 Education, as well as local health and education
21 strategies, such as State school improvement plans,
22 if any, under title III of the Goals 2000: Educate
23 America Act.

24 (2) Information demonstrating that the local
25 educational agency has established or selected a
26 community-level advisory council, which shall include

1 representatives of relevant community agencies such
2 as those that administer education, child nutrition,
3 health, and mental health programs.

4 (3) A description of how the local educational
5 agency will collaborate with the State educational
6 agency, the State health agency, and the local health
7 agency in the planning and development of a com-
8 prehensive school health education program in the
9 local educational agency, including coordination of
10 existing health education programs and resources.

11 (4) A plan to build capacity at the local edu-
12 cational agency to provide staff development and
13 technical assistance to local educational agency and
14 local health agency personnel involved with com-
15 prehensive school health education.

16 (5) A preliminary plan for evaluating com-
17 prehensive school health education activities.

18 (6) A timetable and proposed budget for the
19 planning process.

20 (7) Such other information and assurances as
21 the Secretary may require.

22 (d) NUMBER OF GRANTS.—Local educational agen-
23 cies may receive at a maximum two annual planning
24 grants.

1 **SEC. 172. SELECTION OF GRANTEES.**

2 (a) SELECTION CRITERIA.—The Secretary shall es-
3 tablish criteria for the competitive selection of grantees
4 under this part.

5 (b) LIMITATION.—The Secretary shall not approve
6 an application from a local educational agency in a State
7 that has an approved plan under part 1 or 2 of subtitle
8 C of this title unless the Secretary determines, after con-
9 sultation with the State that the local application is con-
10 sistent with the State plan, if one exists.

11 **SEC. 173. AMOUNT OF GRANT.**

12 For any fiscal year, the minimum grant to any local
13 educational agency under this part is an amount deter-
14 mined by the Secretary to be necessary to enable the local
15 educational agency to conduct the planning process, and
16 the maximum such grant is \$500,000.

17 **SEC. 174. AUTHORIZED ACTIVITIES.**

18 A local educational agency may use funds received
19 under this part only for the following:

20 (1) To establish and carry out the local edu-
21 cational agency planning process.

22 (2) To undertake joint training, staffing, ad-
23 ministration, and other coordination and collabora-
24 tion activities for local educational agencies, local
25 health agencies, and other agencies and organiza-
26 tions, as appropriate.

1 (3) To conduct activities to build capacity to
2 provide staff development and technical assistance
3 services to local educational agency and local health
4 agency personnel involved with comprehensive school
5 health education.

6 (4) To develop student learning objectives and
7 assessment instruments.

8 (5) To work with State and local health agen-
9 cies and State educational agencies to reduce bar-
10 riers to the implementation of comprehensive school
11 health education programs in schools, by, for exam-
12 ple, ensuring that adequate time is available dur-
13 ing the school day for such programs.

14 (6) To prepare the plan required to receive an
15 implementation grant under part 3.

16 **Subpart C—Implementation Grants for Local**
17 **Educational Agencies**

18 **SEC. 181. APPLICATION FOR GRANT.**

19 (a) IN GENERAL.—Any local educational agency that
20 wishes to receive an implementation grant under this part
21 shall submit an application to the Secretary of Health and
22 Human Services, at such time, in such manner, and con-
23 taining such information and assurances as the Secretary
24 may require.

1 (b) STATE EDUCATIONAL AGENCY REVIEW.—Each
2 such local educational agency shall submit its application
3 to the State educational agency for comment before sub-
4 mitting it to the Secretary.

5 (c) LOCAL EDUCATIONAL AGENCY PLAN.—Each
6 such application shall include a local educational agency
7 plan for comprehensive school health education programs
8 (as defined in section 113) that describes the following:

9 (1) The local educational agency’s goals and ob-
10 jectives for those programs.

11 (2) How the local educational agency will co-
12 ordinate programs under this part with other local,
13 State and Federal health education programs.

14 (3) How comprehensive school health education
15 programs will be coordinated with other local, State
16 and Federal education programs, such as programs
17 under title I of the Elementary and Secondary Edu-
18 cation Act of 1965, and with State’s school improve-
19 ment plan, if any, under title III of the Goals 2000:
20 Educate America Act.

21 (4) How the local educational agency has
22 worked with State educational agencies and with
23 State and local health agencies to reduce barriers to
24 implementing comprehensive school health education
25 programs.

1 (5) How local educational agencies will monitor
2 the implementation of such programs.

3 (6) How the local educational agency, in con-
4 sultation with the State educational agency and
5 State and local health agencies and in conjunction
6 with other local professional development activities,
7 will build capacity for professional development of
8 health educators.

9 (7) How the local educational agency, in con-
10 sultation with the State educational agency and
11 State and local health agencies, will provide staff de-
12 velopment and technical assistance.

13 (8) The respective roles of the State educational
14 agency, local educational agencies, the State health
15 agency, and the local health agencies in developing
16 and implementing such school health education pro-
17 grams.

18 (9) How such school health education programs
19 will be tailored to the extent practicable to be cul-
20 turally and linguistically sensitive and responsive to
21 the various needs of the students served, including
22 individuals with disabilities, and individuals from
23 disadvantaged backgrounds (including racial and
24 ethnic minorities).

1 (10) How the local educational agency, in con-
2 sultation with the local health agency, will evaluate
3 and report on the local educational agency's progress
4 toward attaining the goals and objectives described
5 in paragraph (1).

6 **SEC. 182. SELECTION OF GRANTEES.**

7 (a) SELECTION OF GRANTEES.—The Secretary shall
8 establish criteria for the competitive selection of grantees
9 under this part.

10 (b) LIMITATION.—The Secretary shall not approve
11 an application from a local educational agency in a State
12 that has an approved plan under part 1 or 2 of subtitle
13 C unless the Secretary determines, after consultation with
14 the State that the local application is consistent with such
15 State plan.

16 (c) OPPORTUNITY FOR PLANNING GRANT.—If the
17 Secretary does not approve a local educational agency's
18 application under this part and determines that the local
19 educational agency could benefit from a planning grant
20 under part 2, the Secretary shall inform the local edu-
21 cational agency of any planning grant funds that may be
22 available to it under part 2, subject to section 171(d).

23 **SEC. 183. AMOUNT OF GRANT.**

24 (a) IN GENERAL.—For any fiscal year, the minimum
25 grant to any local educational agency under this part is

1 an amount determined by the Secretary to be necessary
2 to enable the local educational agency to conduct the im-
3 plementation process.

4 (b) CRITERIA.—In determining the amount of any
5 such grant, the Secretary may consider such factors as
6 the number of children enrolled in schools in the local edu-
7 cational agency, the number of school-aged children living
8 in poverty in the local educational agency, and the scope
9 and quality of the local educational agency’s plan.

10 **SEC. 184. AUTHORIZED ACTIVITIES.**

11 Each local educational agency that receives a grant
12 under this part shall use the grant funds as follows:

13 (1) To implement comprehensive school health
14 education programs, as defined in section 113.

15 (2) To conduct local or regional coordination
16 and collaboration activities.

17 (3) To provide staff development and technical
18 assistance to schools, local health agencies, and
19 other community agencies involved in providing com-
20 prehensive school health education programs.

21 (4) To administer the program and monitor
22 program implementation at the local level.

23 (5) To evaluate and report to the Secretary on
24 the local educational agency’s progress toward at-

1 taining the goals and objectives described in section
2 181(c)(1).

3 (6) To conduct such other activities as the Sec-
4 retary may by regulation authorize.

5 **SEC. 185. REPORTS.**

6 Each local educational agency that receives a grant
7 under this part shall collect and report to the Secretary
8 and the State such data and other information as the Sec-
9 retary may require.

10 **TITLE II—AMENDMENTS TO IN-**
11 **TERNAL REVENUE CODE OF**
12 **1986**

13 **SEC. 201. DISALLOWANCE OF DEDUCTION FOR CERTAIN**
14 **ADVERTISING EXPENSES FOR TOBACCO**
15 **PRODUCTS OR ALCOHOLIC BEVERAGES.**

16 (a) DEDUCTION DISALLOWED.—Part IX of sub-
17 chapter B of chapter 1 of the Internal Revenue Code of
18 1986 (relating to items not deductible) is amended by add-
19 ing at the end thereof the following new section:

20 **“SEC. 280I. DISALLOWANCE OF DEDUCTION FOR CERTAIN**
21 **ADVERTISING EXPENSES FOR TOBACCO**
22 **PRODUCTS OR ALCOHOLIC BEVERAGES.**

23 “(a) IN GENERAL.—No deduction otherwise allow-
24 able under this chapter shall be allowed for any amount

1 paid or incurred to advertise any tobacco product or
2 alcoholic beverage—

3 “(1) on television or radio,

4 “(2) in any newspaper, magazine, or other peri-
5 odical,

6 “(3) on any billboard, poster, sign, decal, or
7 matchbook,

8 “(4) through promotion allowances, premiums,
9 or samples, or

10 “(5) through any means of private advertising.

11 “(b) DEFINITIONS.—For purposes of this section—

12 “(1) TOBACCO PRODUCT.—The term ‘tobacco
13 product’ means any cigarette, cigar, smokeless to-
14 bacco, pipe tobacco, or similar tobacco product. For
15 purposes of the preceding sentence, the terms ‘ciga-
16 rette’, ‘cigar’, and ‘smokeless tobacco’ have the re-
17 spective meanings given to such terms by section
18 5702.

19 “(2) ALCOHOLIC BEVERAGE.—The term ‘alco-
20 holic beverage’ means any beverage which is subject
21 to tax under subpart A, C, or D of part I of
22 subchapter A of chapter 51 (relating to taxes on
23 distilled spirits, wines, and beer).”.

1 (b) CONFORMING AMENDMENT.—The table of sec-
 2 tions for such part IX is amended by adding at the end
 3 thereof the following new item:

“Sec. 280I. Disallowance of deduction for certain advertising ex-
 penses for tobacco products or alcoholic beverages.”

4 (c) EFFECTIVE DATE.—The amendments made by
 5 this section shall apply to amounts paid or incurred after
 6 the date of the enactment of this Act in taxable years end-
 7 ing after such date.

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