

108TH CONGRESS
1ST SESSION

H. R. 3038

To make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2003

Mr. BILIRAKIS (for himself and Mr. BROWN of Ohio) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Care Safety
5 Net Amendments Technical Corrections Act of 2003”.

6 **SEC. 2. TECHNICAL AMENDMENTS.**

7 (a) HEALTH CENTERS.—

8 (1) IN GENERAL.—Section 330 of the Public
9 Health Service Act (42 U.S.C. 254b) is amended to
10 read as if—

1 (A) subparagraph (C) of the second para-
2 graph (4) of section 101 of Public Law 107-
3 251 had not been enacted;

4 (B) paragraph (7)(C) of such section 101
5 had not been enacted; and

6 (C) paragraphs (8) through (11) of such
7 section 101 had not been enacted.

8 (2) AMENDMENTS PER PUBLIC LAW 107-
9 251.—Section 330 of the Public Health Service Act
10 (42 U.S.C. 254b), as amended by paragraph (1), is
11 amended—

12 (A) in subsection (c)(1)(B), in the matter
13 preceding clause (i), by striking “plan..” and
14 inserting “plan.”;

15 (B) in subsection (d)(1)(B)(iii), in sub-
16 clause (I), by adding “or” at the end;

17 (C) by striking subsection (k);

18 (D) by redesignating subsection (j) as sub-
19 section (k);

20 (E) by inserting after subsection (i) a sub-
21 section that is identical to the subsection (j)
22 that appears (as an amendment) in section
23 101(8)(C) of Public Law 107-251;

24 (F) by redesignating subsection (l) as sub-
25 section (r), by transferring it from its current

1 placement, and by inserting it after subsection
2 (q);

3 (G) by inserting before subsection (m) a
4 subsection that is identical to the subsection
5 that appears (as an amendment) in section
6 101(9) of Public Law 107–251, and by redesignig-
7 nating as subsection (l) the subsection that is
8 so inserted;

9 (H) in subsection (l) (as inserted and re-
10 designated by subparagraph (G) of this para-
11 graph), in the first sentence—

12 (i) by inserting after “shall provide”
13 the following: “(either through the Depart-
14 ment of Health and Human Services or by
15 grant or contract)”; and

16 (ii) by striking “(l)(3)” and inserting
17 “(k)(3)”;

18 (I) in subsection (p), by striking
19 “(j)(3)(G)” and inserting “(k)(3)(G)”; and

20 (J) in subsection (r) (as redesignated,
21 transferred, and inserted by subparagraph (F)
22 of this paragraph)—

23 (i) in paragraph (1), by striking
24 “\$802,124,000” and all that follows
25 through the period and inserting

1 “\$1,340,000,000 for fiscal year 2002 and
2 such sums as may be necessary for each of
3 the fiscal years 2003 through 2006.”;

4 (ii) in paragraph (2)(A)—

5 (I) by striking “(j)(3)” and in-
6 serting “(k)(3)”; and

7 (II) by striking “(j)(3)(G)(ii)”
8 and inserting “(k)(3)(H)”; and

9 (iii) in paragraph (2), by striking sub-
10 paragraph (B) and inserting a subpara-
11 graph that is identical to the subparagraph
12 (B) that appears (as an amendment) in
13 section 101(11)(B)(ii) of Public Law 107-
14 251.

15 (b) RURAL HEALTH OUTREACH.—Section
16 330A(b)(4) of the Public Health Service Act (42 U.S.C.
17 254c(b)(4)) is amended by striking “799B” and inserting
18 “799B(6)”.

19 (c) TELEHEALTH.—Section 330I of the Public
20 Health Service Act (42 U.S.C. 254c-14) is amended—

21 (1) in subsection (a)(4), by striking “799B”
22 and inserting “799B(6)”; and

23 (2) in subsection (c)(1), by striking “Health
24 and Resources and Services Administration” and in-

1 serting “Health Resources and Services Administra-
2 tion”.

3 (d) MENTAL HEALTH SERVICES VIA TELE-
4 HEALTH.—Section 330K of the Public Health Service Act
5 (42 U.S.C. 254c–16) is amended—

6 (1) in subsection (b)(2), by striking “subsection
7 (a)(4)” and inserting “subsection (a)(3)”; and

8 (2) in subsection (c)(1)—

9 (A) in subparagraph (A), by striking “sub-
10 section (a)(4)(A)” and inserting “subsection
11 (a)(3)(A)”; and

12 (B) in subparagraph (B), by striking “sub-
13 section (a)(4)(B)” and inserting “subsection
14 (a)(3)(B)”.

15 (e) TELEMEDICINE INCENTIVE GRANTS.—

16 (1) IN GENERAL.—Subpart I of part D of
17 title III of the Public Health Service Act (42
18 U.S.C. 254b et seq.) is amended by adding at
19 the end the following:

20 **“SEC. 330L. TELEMEDICINE; INCENTIVE GRANTS REGARD-**
21 **ING COORDINATION AMONG STATES.**

22 “(a) IN GENERAL.—The Secretary may make grants
23 to State professional licensing boards to carry out pro-
24 grams under which such licensing boards of various States

1 cooperate to develop and implement State policies that will
2 reduce statutory and regulatory barriers to telemedicine.

3 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the
4 purpose of carrying out subsection (a), there are author-
5 ized to be appropriated such sums as may be necessary
6 for each of the fiscal years 2002 through 2006.”.

7 (2) REPEAL.—Section 102 of the Health Care
8 Safety Net Amendments of 2002 (Public Law 107–
9 251) is repealed.

10 (f) HEALTH PROFESSIONAL SHORTAGE AREAS.—

11 (1) IN GENERAL.—Section 332 of the Public
12 Health Service Act (42 U.S.C. 254e) is amended—

13 (A) in subsection (a)(1)—

14 (i) by striking “such date of enact-
15 ment” and inserting “such date of designa-
16 tion”; and

17 (ii) by striking “, issued after the date
18 of enactment of this Act, that revise” and
19 inserting “regarding”; and

20 (B) in subsection (a)(3), by striking
21 “330(h)(4)” and inserting “330(h)(5)”;

22 (C) in subsection (b)(2), by striking “des-
23 ignation,.” and inserting “designation.”; and

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

1 “(j)(1) The Secretary shall submit the report de-
2 scribed in paragraph (2) if the Secretary, acting through
3 the Administrator of the Health Resources and Services
4 Administration, issues—

5 “(A) a regulation that revises the definition of
6 a health professional shortage area for purposes of
7 this section; or

8 “(B) a regulation that revises the standards
9 concerning priority of such an area under section
10 333A.

11 “(2) On issuing a regulation described in paragraph
12 (1), the Secretary shall prepare and submit to the Com-
13 mittee on Energy and Commerce of the House of Rep-
14 resentatives and the Committee on Health, Education,
15 Labor, and Pensions of the Senate a report that describes
16 the regulation.

17 “(3) Each regulation described in paragraph (1) shall
18 take effect 180 days after the committees described in
19 paragraph (2) receive a report referred to in such para-
20 graph describing the regulation.”.

21 (2) REPEAL.—Subsection (b) of section 302 of
22 the Health Care Safety Net Amendments of 2002
23 (Public Law 107–251) is repealed.

24 (g) ASSIGNMENT OF CORPS PERSONNEL.—Section
25 333(a)(1) of the Public Health Service Act (42 U.S.C.

1 254f) is amended by moving subparagraph (C) so that the
2 margin of subparagraph (C) is aligned with the margins
3 of subparagraphs (A), (B), and (D).

4 (h) PRIORITIES IN ASSIGNMENT OF CORPS PER-
5 SONNEL.—Section 333A(c)(4) of the Public Health Serv-
6 ice Act (42 U.S.C. 254f–1(c)(4)) is amended by striking
7 “30 days” and inserting “30 days from such notification”.

8 (i) CHARGES FOR SERVICES.—Section 334(b)(1)(B)
9 of the Public Health Service Act (42 U.S.C.
10 254g(b)(1)(B)) is amended by inserting “the payment of”
11 after “applied to”.

12 (j) NATIONAL HEALTH SERVICE CORPS SCHOLAR-
13 SHIP PROGRAM.—Section 338A(d)(1) (42 U.S.C.
14 254l(d)(1)) is amended by moving subparagraph (B) so
15 that the margin of subparagraph (B) is aligned with the
16 margin of subparagraphs (A) and (C).

17 (k) NATIONAL HEALTH SERVICE CORPS LOAN RE-
18 PAYMENT PROGRAM.—Section 338B(e) of the Public
19 Health Service Act (42 U.S.C. 254l–1) is amended by
20 striking “PARTICIPATION.—” and all that follows through
21 “An individual” and inserting “PARTICIPATION.—An indi-
22 vidual”.

23 (l) BREACH OF CONTRACT.—

24 (1) IN GENERAL.—Section 338E of the Public
25 Health Service Act (42 U.S.C. 254o) is amended—

1 (A) in subsection (c)(1), by moving sub-
2 paragraphs (A), (B), and (C), and the flush
3 matter following subparagraph (C), 2 ems to
4 the left; and

5 (B) by adding at the end the following:

6 “(f) The amendment made by section 313(a)(4) of
7 the Health Care Safety Net Amendments of 2002 (Public
8 Law 107–251) shall apply to any obligation for which a
9 discharge in bankruptcy has not been granted before the
10 date that is 31 days after the date of enactment of such
11 Act.”.

12 (2) REPEAL.—Subsection (b) of section 313 of
13 the Health Care Safety Net Amendments of 2002
14 (Public Law 107–251) is repealed.

15 (m) MISCELLANEOUS.—The Public Health Service
16 Act (42 U.S.C. 201 et seq.) is amended—

17 (1) in subsections (g)(1)(G)(ii), (k)(2), and
18 (n)(1)(C) of section 224, and sections 317A(a)(2),
19 317E(c), and 318A(e), by striking “330, 330(h)”
20 and inserting “330”;

21 (2) in section 1313, by striking “329, 330, and
22 330(h)” and inserting “329 and 330”; and

23 (3) in section 2652(a)(2), by striking “section
24 340” and inserting “section 330(h)”.

1 (n) HEALTH CARE SAFETY NET AMENDMENTS OF
2 2002.—The Health Care Safety Net Amendments of 2002
3 (Public Law 107–251) is amended—

4 (1) in section 404(c)(5), by striking “Health
5 Care Financing Administration and the Health Re-
6 search” and inserting “Centers for Medicare & Med-
7 icaid Services and the Health Resources”; and

8 (2) in section 501, by striking “solvency for
9 managed care networks” and inserting “guarantees
10 of solvency for managed care networks or plans”.

11 **SEC. 3. EFFECTIVE DATE.**

12 This Act is deemed to have taken effect immediately
13 after the enactment of Public Law 107–251.

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