

109TH CONGRESS
2^D SESSION

S. 3588

To amend the Public Health Service Act to authorize capitation grants to increase the number of nursing faculty and students, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2006

Mr. DURBIN (for himself and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to authorize capitation grants to increase the number of nursing faculty and students, and for other purposes.

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 “Nurse Education, Ex-
5 pansion, and Development Act of 2006”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) While the Nurse Reinvestment Act (Public
9 Law 107–205) helped to increase applications to

1 schools of nursing by 175 percent, schools of nursing
2 have been unable to accommodate the influx of in-
3 terested students because they have an insufficient
4 number of nurse educators. It is estimated that—

5 (A) in the 2005–2006 school year—

6 (i) 66 percent of schools of nursing
7 had both 1 to 16 vacant faculty positions
8 and needed additional faculty; and

9 (ii) an additional 15.7 percent of
10 schools of nursing needed additional fac-
11 ulty, but lacked the resources needed to
12 add more positions; and

13 (B) 41,683 eligible candidates were denied
14 admission to schools of nursing in 2005, pri-
15 marily due to an insufficient number of faculty
16 members.

17 (2) A growing number of nurses with doctoral
18 degrees are choosing careers outside of education.
19 Over the last few years, there has been a 12 percent
20 increase in doctoral nursing graduates seeking em-
21 ployment outside the education profession.

22 (3) The average age of nurse faculty at retire-
23 ment is 62.5 years. With the average age of
24 doctorally-prepared professors currently at 57.5

1 years, a wave of retirements is expected within the
2 next 10 years.

3 (4) Master's and doctoral programs in nursing
4 are not producing a large enough pool of potential
5 nurse educators to meet the projected demand for
6 nurses over the next 10 years. While graduations
7 from master's and doctoral programs in nursing rose
8 by 10.5 percent and 1.5 percent, respectively, in the
9 2005–2006 school year, projections still demonstrate
10 a shortage of nurse faculty. Given current trends,
11 there will be at least 2,616 unfilled faculty positions
12 in 2012.

13 (5) According to the November 2005 Monthly
14 Labor Review from the Bureau of Labor Statistics,
15 more than 1,200,000 new and replacement nurses
16 will be needed by 2014.

17 **SEC. 3. CAPITATION GRANTS TO INCREASE THE NUMBER**
18 **OF NURSING FACULTY AND STUDENTS.**

19 (a) GRANTS.—Part D of title VIII of the Public
20 Health Service Act (42 U.S.C. 296p) is amended by add-
21 ing at the end the following:

22 **“SEC. 832. CAPITATION GRANTS.**

23 “(a) IN GENERAL.—For the purpose described in
24 subsection (b), the Secretary, acting through the Health
25 Resources and Services Administration, shall award a

1 grant each fiscal year in an amount determined in accord-
 2 ance with subsection (c) to each eligible school of nursing
 3 that submits an application in accordance with this sec-
 4 tion.

5 “(b) PURPOSE.—A funding agreement for a grant
 6 under this section is that the eligible school of nursing
 7 involved will expend the grant to increase the number of
 8 nursing faculty and students at the school, including by
 9 hiring new faculty, retaining current faculty, purchasing
 10 educational equipment and audiovisual laboratories, en-
 11 hancing clinical laboratories, repairing and expanding in-
 12 frastructure, or recruiting students.

13 “(c) GRANT COMPUTATION.—

14 “(1) AMOUNT PER STUDENT.—Subject to para-
 15 graph (2), the amount of a grant to an eligible
 16 school of nursing under this section for a fiscal year
 17 shall be the total of the following, as determined by
 18 the Secretary:

19 “(A) Not to exceed \$1,800 for each full-
 20 time or part-time student who is enrolled at the
 21 school in a graduate program in nursing that—

22 “(i) leads to a master’s degree, a doc-
 23 toral degree, or an equivalent degree; and

24 “(ii) prepares individuals to serve as
 25 faculty through additional course work in

1 education and ensuring competency in an
2 advanced practice area.

3 “(B) Not to exceed \$1,405 for each full-
4 time or part-time student who—

5 “(i) is enrolled at the school in a pro-
6 gram in nursing leading to a bachelor of
7 science degree, a bachelor of nursing de-
8 gree, a graduate degree in nursing if such
9 program does not meet the requirements of
10 subparagraph (A), or an equivalent degree;
11 and

12 “(ii) has not more than 3 years of
13 academic credits remaining in the pro-
14 gram.

15 “(C) Not to exceed \$966 for each full-time
16 or part-time student who is enrolled at the
17 school in a program in nursing leading to an
18 associate degree in nursing or an equivalent de-
19 gree.

20 “(2) LIMITATION.—In calculating the amount
21 of a grant to a school under paragraph (1), the Sec-
22 retary may not make a payment with respect to a
23 particular student—

24 “(A) for more than 2 fiscal years in the
25 case of a student described in paragraph (1)(A)

1 who is enrolled in a graduate program in nurs-
2 ing leading to a master’s degree or an equiva-
3 lent degree;

4 “(B) for more than 4 fiscal years in the
5 case of a student described in paragraph (1)(A)
6 who is enrolled in a graduate program in nurs-
7 ing leading to a doctoral degree or an equiva-
8 lent degree;

9 “(C) for more than 3 fiscal years in the
10 case of a student described in paragraph
11 (1)(B); or

12 “(D) for more than 2 fiscal years in the
13 case of a student described in paragraph
14 (1)(C).

15 “(d) ELIGIBILITY.—For purposes of this section, the
16 term ‘eligible school of nursing’ means a school of nursing
17 that—

18 “(1) is accredited by a nursing accrediting
19 agency recognized by the Secretary of Education;

20 “(2) has a passage rate on the National Council
21 Licensure Examination for Registered Nurses of not
22 less than 80 percent for each of the 3 school years
23 preceding submission of the grant application; and

24 “(3) has a graduation rate (based on the num-
25 ber of students in a class who graduate relative to,

1 for a baccalaureate program, the number of students
2 who were enrolled in the class at the beginning of
3 junior year or, for an associate degree program, the
4 number of students who were enrolled in the class
5 at the end of the first year) of not less than 80 per-
6 cent for each of the 3 school years preceding submis-
7 sion of the grant application.

8 “(e) REQUIREMENTS.—The Secretary may award a
9 grant under this section to an eligible school of nursing
10 only if the school gives assurances satisfactory to the Sec-
11 retary that, for each school year for which the grant is
12 awarded, the school will comply with the following:

13 “(1) The school will maintain a passage rate on
14 the National Council Licensure Examination for
15 Registered Nurses of not less than 80 percent.

16 “(2) The school will maintain a graduation rate
17 (as described in subsection (d)(3)) of not less than
18 80 percent.

19 “(3)(A) Subject to subparagraphs (B) and (C),
20 the first-year enrollment of full-time nursing stu-
21 dents in the school will exceed such enrollment for
22 the preceding school year by 5 percent or 5 students,
23 whichever is greater.

1 “(B) Subparagraph (A) does not apply to the
2 first school year for which a school receives a grant
3 under this section.

4 “(4) Not later than 1 year after receipt of the
5 grant, the school will formulate and implement a
6 plan to accomplish at least 2 of the following:

7 “(A) Establishing or significantly expand-
8 ing an accelerated baccalaureate degree nursing
9 program designed to graduate new nurses in 12
10 to 18 months.

11 “(B) Establishing cooperative intradisci-
12 plinary education among schools of nursing
13 with a view toward shared use of technological
14 resources, including information technology.

15 “(C) Establishing cooperative interdiscipli-
16 nary training between schools of nursing and
17 schools of allied health, medicine, dentistry, os-
18 teopathy, optometry, podiatry, pharmacy, public
19 health, or veterinary medicine, including train-
20 ing for the use of the interdisciplinary team ap-
21 proach to the delivery of health services.

22 “(D) Integrating core competencies on evi-
23 dence-based practice, quality improvements, and
24 patient-centered care.

1 “(E) Increasing admissions, enrollment,
2 and retention of qualified individuals who are
3 financially disadvantaged.

4 “(F) Increasing enrollment of minority and
5 diverse student populations.

6 “(G) Increasing enrollment of new grad-
7 uate baccalaureate nursing students in graduate
8 programs that educate nurse faculty members.

9 “(H) Developing post-baccalaureate resi-
10 dency programs to prepare nurses for practice
11 in specialty areas where nursing shortages are
12 most severe.

13 “(I) Increasing integration of geriatric con-
14 tent into the core curriculum.

15 “(J) Partnering with economically dis-
16 advantaged communities to provide nursing
17 education.

18 “(K) Expanding the ability of nurse man-
19 aged health centers to provide clinical education
20 training sites to nursing students.

21 “(5) The school will submit an annual report to
22 the Secretary that includes updated information on
23 the school with respect to student enrollment, stu-
24 dent retention, graduation rates, passage rates on
25 the National Council Licensure Examination for

1 Registered Nurses, the number of graduates em-
2 ployed as nursing faculty or nursing care providers
3 within 12 months of graduation, and the number of
4 students who are accepted into graduate programs
5 for further nursing education.

6 “(6) The school will allow the Secretary to
7 make on-site inspections, and will comply with the
8 Secretary’s requests for information, to determine
9 the extent to which the school is complying with the
10 requirements of this section.

11 “(f) REPORTS TO CONGRESS.—The Secretary shall
12 evaluate the results of grants under this section and sub-
13 mit to the Congress—

14 “(1) not later than 18 months after the date of
15 the enactment of this section, an interim report on
16 such results; and

17 “(2) not later than the end of fiscal year 2009,
18 a final report on such results.

19 “(g) APPLICATION.—To seek a grant under this sec-
20 tion, a school nursing shall submit an application to the
21 Secretary at such time, in such manner, and containing
22 such information and assurances as the Secretary may re-
23 quire.

24 “(h) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—For the costs of carrying
2 out this section (except the costs described in para-
3 graph (2)), there are authorized to be appropriated
4 \$75,000,000 for fiscal year 2007, \$85,000,000 for
5 fiscal year 2008, and \$95,000,000 for fiscal year
6 2009.

7 “(2) ADMINISTRATIVE COSTS.—For the costs of
8 administering this section, including the costs of
9 evaluating the results of grants and submitting re-
10 ports to the Congress, there are authorized to be ap-
11 propriated such sums as may be necessary for each
12 of fiscal years 2007, 2008, and 2009.”.

13 (b) GAO STUDY.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the date of the enactment of this Act, the Comp-
16 troller General of the United States shall conduct a
17 study and submit a report to the Congress on ways
18 to increase participation in the nurse faculty profes-
19 sion.

20 (2) CONTENTS OF REPORT.—The report re-
21 quired by paragraph (1) shall include the following:

22 (A) A discussion of the master’s degree
23 and doctoral degree programs that are success-
24 ful in placing graduates as faculty in schools of
25 nursing.

1 (B) An examination of compensation dis-
2 parities throughout the nursing profession and
3 compensation disparities between higher edu-
4 cation instructional faculty generally and higher
5 education instructional nursing faculty.

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