

111TH CONGRESS
2^D SESSION

S. 3647

To amend the Public Health Service Act to provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2010

Mr. TESTER 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 provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Health Emergencies
3 Lack Provider Specialists Act of 2010”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) In communities facing environmental health
7 hazards that have been declared a public health
8 emergency (pursuant to section 104(a) of the Com-
9 prehensive Environmental Response, Compensation,
10 and Liability Act of 1980), it is increasingly difficult
11 for the health care facilities in those areas to recruit
12 the specialists necessary to treat the particular
13 health needs of the residents. As a result, these com-
14 munities and their populations are medically under-
15 served.

16 (2) Since 1970, the National Health Service
17 Corps has helped communities recruit health care
18 professionals who are committed to serving the
19 needs of underserved populations.

20 **SEC. 3. NATIONAL HEALTH SERVICE CORPS; PARTICIPA-**
21 **TION OF SPECIALISTS IN LOAN REPAYMENT**
22 **AND SCHOLARSHIP PROGRAMS.**

23 (a) MISSION OF CORPS; DEFINITION OF PRIMARY
24 HEALTH SERVICES.—Section 331(a)(3)(D) of the Public
25 Health Service Act (42 U.S.C. 254d(a)(3)(D)) is amended
26 by striking “or mental health,” and inserting “mental

1 health, or specialists needed to serve in medically under-
2 served areas or populations that have needs for particular
3 specialists related to a public health emergency declaration
4 (pursuant to section 104(a) of the Comprehensive Envi-
5 ronmental Response, Compensation, and Liability Act of
6 1980) based upon environmental health hazard-related
7 health concerns.”.

8 (b) LOAN REPAYMENT PROGRAM.—Section 338B of
9 the Public Health Service Act (42 U.S.C. 254l–1) is
10 amended—

11 (1) in subsection (a)(1), by striking “and physi-
12 cian assistants;” and inserting “physician assistants,
13 and specialists related to the health needs of envi-
14 ronmental exposure affected individuals stemming
15 from its declaration as a public health emergency
16 (pursuant to section 104(a) of the Comprehensive
17 Environmental Response, Compensation, and Liabil-
18 ity Act of 1980);”;

19 (2) in subsection (b)(1)—

20 (A) in subparagraph (A), by inserting be-
21 fore the semicolon the following: “, or have been
22 determined by the Secretary to be a specialist
23 necessary to treat the particular health needs of
24 environmental exposure affected individuals in
25 an area that has been declared a public health

1 emergency (pursuant to section 104(a) of the
2 Comprehensive Environmental Response, Com-
3 pensation, and Liability Act of 1980)”;

4 (B) in subparagraph (B), by inserting
5 “specialists related to the health needs of envi-
6 ronmental exposure affected individuals stem-
7 ming from its declaration as a public health
8 emergency (pursuant to section 104(a) of the
9 Comprehensive Environmental Response, Com-
10 pensation, and Liability Act of 1980),” after
11 “mental health,”; and

12 (C) in subparagraph (C)(ii), by inserting
13 “specialists related to the health needs of envi-
14 ronmental exposure affected individuals stem-
15 ming from its declaration as a public health
16 emergency (pursuant to section 104(a) of the
17 Comprehensive Environmental Response, Com-
18 pensation, and Liability Act of 1980),” after
19 “dentistry,”; and

20 (3) by adding at the end the following:

21 “(i) DEFINITION.—In this section, the term ‘environ-
22 mental exposure affected individual’ means any individual
23 who—

24 “(1) is diagnosed with a medical condition
25 caused by the exposure of the individual to a public

1 health hazard to which an emergency declaration ap-
2 plies, based on such medical conditions, diagnostic
3 standards, and other criteria as the Secretary speci-
4 fies;

5 “(2) as demonstrated in such manner as the
6 Secretary determines appropriate, has been present
7 for an aggregate total of 6 months in the geographic
8 area subject to the emergency declaration involved,
9 during a period determined appropriate by the Sec-
10 retary; and

11 “(3) is determined under this section to meet
12 the criteria described in this subsection.”.

13 (c) SCHOLARSHIP PROGRAM.—Section 338A of the
14 Public Health Service Act (42 U.S.C. 2541) is amended—

15 (1) in subsection (a)(1), by striking “and physi-
16 cian assistants;” and inserting “physician assistants,
17 and specialists related to the health needs of envi-
18 ronmental exposure affected individuals stemming
19 from its declaration as a public health emergency
20 (pursuant to section 104(a) of the Comprehensive
21 Environmental Response, Compensation, and Liabil-
22 ity Act of 1980);”;

23 (2) in subsection (b)(1), by inserting before the
24 semicolon the following: “, or have been determined
25 by the Secretary to be a specialist necessary to treat

1 the particular health needs of environmental expo-
2 sure affected individuals in an area that has been
3 declared a public health emergency (pursuant to sec-
4 tion 104(a) of the Comprehensive Environmental
5 Response, Compensation, and Liability Act of
6 1980”); and

7 (3) by adding at the end the following:

8 “(i) In this section, the term ‘environmental exposure
9 affected individual’ means any individual who—

10 “(1) is diagnosed with a medical condition
11 caused by the exposure of the individual to a public
12 health hazard to which an emergency declaration ap-
13 plies, based on such medical conditions, diagnostic
14 standards, and other criteria as the Secretary speci-
15 fies;

16 “(2) as demonstrated in such manner as the
17 Secretary determines appropriate, has been present
18 for an aggregate total of 6 months in the geographic
19 area subject to the emergency declaration involved,
20 during a period determined appropriate by the Sec-
21 retary; and

22 “(3) is determined under this section to meet
23 the criteria described in this subsection.”.

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