To amend the Public Health Service Act to establish a Bio-Preparedness and Infectious Diseases Workforce Loan Repayment Program.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2021

Mrs. TRAHAN (for herself and Mr. MCKINLEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish a Bio-Preparedness and Infectious Diseases Workforce Loan Repayment Program.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bolstering Infectious Outbreaks Preparedness Workforce Act of 2021” or the “BIO Preparedness Workforce Act of 2021”.

SEC. 2. ESTABLISHMENT OF A BIO-PREPAREDNESS AND INFECTIONIOUS DISEASES WORKFORCE LOAN REPAYMENT PROGRAM.

Subpart 3 of part E of title VII of the Public Health Service Act (42 U.S.C. 295f et seq.) is amended by inserting after section 776 (42 U.S.C. 295f–1) the following:

"SEC. 776A BIO-PREPAREDNESS AND INFECTIOUS DISEASES WORKFORCE LOAN REPAYMENT PROGRAM.

"(a) Establishment.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish the Bio-Preparedness and Infectious Diseases Workforce Loan Repayment Program (referred to in this section as the ‘Program’) to ensure an adequate supply of health care professionals engaged in bio-preparedness and response activities described in subsection (e)(2)(A)(i) and health care professionals engaged in infectious diseases care described in subsection (e)(2)(A)(ii).

"(b) Eligibility.—

"(1) In general.—To be eligible to participate in the Program, an individual shall—

"(A)(i) be accepted for enrollment, or be enrolled, as a student in an accredited academic educational institution in a State or territory in the final year of a course of study or program
leading to a health professions degree or certificate described in paragraph (2); or

“(ii) have graduated, during the preceding 10-year period, from an accredited educational institution in a State or territory and received a health professions degree or certificate described in paragraph (2);

“(B) be a United States citizen;

“(C)(i) submit an application to the Secretary to participate in the Program; and

“(ii) execute a written contract as required in subsection (c); and

“(D) not have received, for the same service, a reduction of loan obligations under—

“(i) section 338B, 338I, 776, or 846;

or


“(2) Health professions degree or certificate.—A health professions degree or certificate described in this paragraph is a degree or certificate for—

“(A) a doctor of medicine;

“(B) a doctor of osteopathic medicine;

“(C) a doctor of philosophy;
“(D) a doctor of pharmacy;
“(E) certification as a registered nurse;
“(F) a bachelor of science in nursing;
“(G) a master of science in nursing;
“(H) certification as a nurse practitioner;
“(I) certification as a physician assistant;
“(J) a doctor of public health;
“(K) a master of public health;
“(L) a master of science in epidemiology;
“(M) a bachelor of science in medical technology;
“(N) certification in medical technology or as a medical lab scientist;
“(O) a doctor of dental surgery, doctor of medicine in dentistry, or doctor of dental medicine; and
“(P) completion of any other program determined appropriate by the Secretary.

“(c) CONTRACT.—
“(1) IN GENERAL.—The written contract (referred to in this section as the ‘written contract’) between the Secretary and an individual shall contain—
“(A) an agreement on the part of the Secretary that the Secretary will repay on behalf of
the individual loans incurred by the individual
in the pursuit of the relevant degree or certifi-
cate in accordance with the terms of the con-
tract;

“(B) an agreement on the part of the indi-
vidual that the individual will serve as a health
care professional engaged in a qualified role for
a period of time (referred to in this section as
the ‘period of obligated service’) equal to the
greater of—

“(i) 3 years; or

“(ii) such longer period of time as de-
termined appropriate by the Secretary and
the individual;

“(C) a provision that any financial obliga-
tion of the United States arising out of a con-
tact entered into under this section and any
obligation of the individual that is conditioned
thereon, is contingent on funds being appro-
priated for loan repayments under this section;

“(D) a statement of the damages to which
the United States is entitled, under this section
for the individual’s breach of the contract; and
“(E) such other statements of the rights and liabilities of the Secretary and of the individual, not inconsistent with this section.

“(2) QUALIFIED ROLE.—

“(A) IN GENERAL.—In this subsection, the term ‘qualified role’ means either of the following:

“(i) BIO-PREPAREDNESS HEALTH CARE PROFESSIONAL.—A role in which the health care professional spends not less than 50 percent of their time engaged in bio-preparedness and response activities, including—

“(I) developing and updating response, surge, and isolation capacity plans and protocols;

“(II) collaborating with State, local, and Tribal health departments on preparedness and response efforts;

“(III) training health care facility personnel in matters related to bio-preparedness;

“(IV) purchasing and managing equipment (such as personal protective equipment) for public health
emergencies, including those declared under section 319;

“(V) executing readiness assessments for public health emergencies, including those declared under section 319;

“(VI) repurposing areas of a health care facility to manage patient influx;

“(VII) communicating with the public regarding preventing or responding to public health emergencies, including those declared under section 319;

“(VIII) performing infection prevention and control and environmental disinfection;

“(IX) conducting epidemiologic surveillance and investigations;

“(X) developing and validating diagnostics for emerging pathogens; and

“(XI) conducting antimicrobial stewardship.
“(ii) Infectious Diseases Health Care Professional.—A role (including through a fellowship) in which the health care professional spends not less than 50 percent of their time engaging in infectious diseases care—

“(I) in a medically underserved community;

“(II) for a medically underserved population as defined in section 330(b)(3);

“(III) at a Federally qualified health center or rural health clinic (as those terms are defined in section 1861(aa) of the Social Security Act);

“(IV) at a health center receiving assistance under section 330;

“(V) at a Federal medical facility;

“(VI) in a health program, or at a facility operated, by an Indian Tribe or Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act) or by an urban Indian
organization as defined in section 4 of
the Indian Health Care Improvement
Act;

“(VII) in a health professional
shortage area as designated under
section 332;

“(VIII) at an entity receiving as-
sistance under title XXVI for the pro-
vision of clinical services;

“(IX) at a critical access hospital
(as defined in section 1861(mm)(1) of
the Social Security Act);

“(X) in a frontier health profes-
sional shortage area; or

“(XI) at an accredited public
academic educational institution in a
State or territory or health care set-
ting affiliated with such an institu-
tion.

“(B) EMPLOYMENT BY PUBLIC HEALTH
AGENCY.—The term ‘qualified role’ does not in-
clude a role in which the health care profes-
sional is employed by a Federal, State, local, or
Tribal public health agency or is in a related
training fellowship, as recognized by the Secretary, excluding—

“(i) a role under clause (i) of subparagraph (A) in which the health care professional is employed at a medical facility described in subclause (XI) of subparagraph (A)(ii);

“(ii) a role under clause (ii) of subparagraph (A) in which the health care professional is employed at a medical facility described in subclause (V), (VI), or (XI) of subparagraph (A)(ii); or

“(iii) a role under clause (i) or (ii) of subparagraph (A) in which the health care professional is employed in any other setting specified by the Secretary.

“(3) HEALTH CARE PROFESSIONAL.—In this section, the term ‘health care professional’ includes—

“(A) with respect to an individual in a role described in paragraph (2)(A)(i), an individual who is—

“(i) a physician;

“(ii) a clinical pharmacist;

“(iii) a physician assistant;
“(iv) an advanced practice registered nurse;

“(v) an infection preventionist; or

“(vi) a clinical laboratory professional;

or

“(B) with respect to an individual in a role described in paragraph (2)(A)(ii), an individual who is—

“(i) a physician;

“(ii) a clinical pharmacist;

“(iii) a physician assistant;

“(iv) a dentist; or

“(v) an advanced practice registered nurse.

“(d) PAYMENTS.—

“(1) IN GENERAL.—A loan repayment provided for an individual under a written contract under the Program shall consist of payment, in accordance with paragraph (2), on behalf of the individual of the principal, interest, and related expenses on government and commercial loans received by the individual regarding the undergraduate or graduate education of the individual (or both), which loans were made for tuition expenses incurred by the individual.
“(2) Payments for years served.—For each year of obligated service that an individual contracts to serve under subsection (c), the Secretary may pay up to $50,000 on behalf of the individual for loans described in paragraph (1). With respect to participants under the Program whose total eligible loans are less than $150,000, the Secretary shall pay an amount that does not exceed 1/3 of the eligible loan balance for each year of obligated service of the individual.

“(3) Tax liability.—For the purpose of providing reimbursements for tax liability resulting from payments under paragraph (2) on behalf of an individual, the Secretary shall, in addition to such payments, make payments to the individual in an amount not to exceed 39 percent of the total amount of loan repayments made for the taxable year involved.

“(e) Postponing obligated service.—With respect to any individual participating in the Program, the date of the initiation of the period of obligated service may be postponed as approved by the Secretary.

“(f) Breach of contract.—An individual who fails to comply with the contract entered into under subsection (c) shall be subject to the same financial penalties as pro-
vided for under section 338E for breaches of loan repay-
ment contracts under section 338B.

“(g) CONSIDERATIONS.—In awarding contracts under this section, the Secretary may—

“(1) distribute contracts under this section equi-
utably among geographic areas of the United States; and

“(2) ensure that contracts under this section help to increase the number of underrepresented mi-
nority individuals (as defined in section 738(b)(5)) serving as health care professionals in roles described in clauses (i) and (ii) of subsection (c)(2)(A).

“(h) ADDITIONAL CRITERIA.—The Secretary—

“(1) may establish, in addition to the criteria and rules specified in this section, such criteria and rules to carry out this section as the Secretary deter-
mines are needed; and

“(2) shall give notice to the committees specified in subsection (i) of any criteria and rules so es-
tablished.

“(i) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this section, and every other year thereafter, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pen-
sions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on—

“(1) the number and location of borrowers who have qualified for loan repayments under this section; and

“(2) the impact of this section on the availability of—

“(A) health care professionals engaged in bio-preparedness and response activities described in subsection (c)(2)(A)(i), and health care professionals engaged in infectious diseases care described in subsection (c)(2)(A)(ii), nationally; and

“(B) health care professionals engaged in infectious diseases care described in subsection (c)(2)(A)(ii) in the areas and settings listed in such subsection.

“(j) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2023 through 2027.”.