

117TH CONGRESS
1ST SESSION

H. R. 5602

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.

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 “Bolstering Infectious
5 Outbreaks Preparedness Workforce Act of 2021” or the
6 “BIO Preparedness Workforce Act of 2021”.

1 **SEC. 2. ESTABLISHMENT OF A BIO-PREPAREDNESS AND IN-**
2 **FECTIONOUS DISEASES WORKFORCE LOAN RE-**
3 **PAYMENT PROGRAM.**

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

7 **“SEC. 776A BIO-PREPAREDNESS AND INFECTIOUS DIS-**
8 **EASES WORKFORCE LOAN REPAYMENT PRO-**
9 **GRAM.**

10 “(a) ESTABLISHMENT.—The Secretary, acting
11 through the Administrator of the Health Resources and
12 Services Administration, shall establish the Bio-Prepared-
13 ness and Infectious Diseases Workforce Loan Repayment
14 Program (referred to in this section as the ‘Program’) to
15 ensure an adequate supply of health care professionals en-
16 gaged in bio-preparedness and response activities de-
17 scribed in subsection (c)(2)(A)(1) and health care profes-
18 sionals engaged in infectious diseases care described in
19 subsection (c)(2)(A)(ii).

20 “(b) ELIGIBILITY.—

21 “(1) IN GENERAL.—To be eligible to participate
22 in the Program, an individual shall—

23 “(A)(i) be accepted for enrollment, or be
24 enrolled, as a student in an accredited academic
25 educational institution in a State or territory in
26 the final year of a course of study or program

1 leading to a health professions degree or certifi-
2 cate described in paragraph (2); or

3 “(ii) have graduated, during the preceding
4 10-year period, from an accredited educational
5 institution in a State or territory and received
6 a health professions degree or certificate de-
7 scribed in paragraph (2);

8 “(B) be a United States citizen;

9 “(C)(i) submit an application to the Sec-
10 retary to participate in the Program; and

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

13 “(D) not have received, for the same serv-
14 ice, a reduction of loan obligations under—

15 “(i) section 338B, 338I, 776, or 846;

16 or

17 “(ii) section 428K or 428L of the
18 Higher Education Act of 1965.

19 “(2) HEALTH PROFESSIONS DEGREE OR CER-
20 TIFICATE.—A health professions degree or certificate
21 described in this paragraph is a degree or certificate
22 for—

23 “(A) a doctor of medicine;

24 “(B) a doctor of osteopathic medicine;

25 “(C) a doctor of philosophy;

1 “(D) a doctor of pharmacy;

2 “(E) certification as a registered nurse;

3 “(F) a bachelor of science in nursing;

4 “(G) a master of science in nursing;

5 “(H) certification as a nurse practitioner;

6 “(I) certification as a physician assistant;

7 “(J) a doctor of public health;

8 “(K) a master of public health;

9 “(L) a master of science in epidemiology;

10 “(M) a bachelor of science in medical tech-

11 nology;

12 “(N) certification in medical technology or

13 as a medical lab scientist;

14 “(O) a doctor of dental surgery, doctor of

15 medicine in dentistry, or doctor of dental medi-

16 cine; and

17 “(P) completion of any other program de-

18 termined appropriate by the Secretary.

19 “(c) CONTRACT.—

20 “(1) IN GENERAL.—The written contract (re-

21 ferred to in this section as the ‘written contract’) be-

22 tween the Secretary and an individual shall con-

23 tain—

24 “(A) an agreement on the part of the Sec-

25 retary that the Secretary will repay on behalf of

1 the individual loans incurred by the individual
2 in the pursuit of the relevant degree or certifi-
3 cate in accordance with the terms of the con-
4 tract;

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

11 “(i) 3 years; or

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

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

21 “(D) a statement of the damages to which
22 the United States is entitled, under this section
23 for the individual’s breach of the contract; and

1 “(E) such other statements of the rights
2 and liabilities of the Secretary and of the indi-
3 vidual, not inconsistent with this section.

4 “(2) QUALIFIED ROLE.—

5 “(A) IN GENERAL.—In this subsection, the
6 term ‘qualified role’ means either of the fol-
7 lowing:

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

14 “(I) developing and updating re-
15 sponse, surge, and isolation capacity
16 plans and protocols;

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

20 “(III) training health care facil-
21 ity personnel in matters related to
22 bio-preparedness;

23 “(IV) purchasing and managing
24 equipment (such as personal protec-
25 tive equipment) for public health

1 emergencies, including those declared
2 under section 319;

3 “(V) executing readiness assess-
4 ments for public health emergencies,
5 including those declared under section
6 319;

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

10 “(VII) communicating with the
11 public regarding preventing or re-
12 sponding to public health emergencies,
13 including those declared under section
14 319;

15 “(VIII) performing infection pre-
16 vention and control and environmental
17 disinfection;

18 “(IX) conducting epidemiologic
19 surveillance and investigations;

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

23 “(XI) conducting antimicrobial
24 stewardship.

1 “(ii) INFECTIOUS DISEASES HEALTH
2 CARE PROFESSIONAL.—A role (including
3 through a fellowship) in which the health
4 care professional spends not less than 50
5 percent of their time engaging in infectious
6 diseases care—

7 “(I) in a medically underserved
8 community;

9 “(II) for a medically underserved
10 population as defined in section
11 330(b)(3);

12 “(III) at a Federally qualified
13 health center or rural health clinic (as
14 those terms are defined in section
15 1861(aa) of the Social Security Act);

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

18 “(V) at a Federal medical facil-
19 ity;

20 “(VI) in a health program, or at
21 a facility operated, by an Indian Tribe
22 or Tribal organization (as those terms
23 are defined in section 4 of the Indian
24 Self-Determination and Education As-
25 sistance Act) or by an urban Indian

1 organization as defined in section 4 of
2 the Indian Health Care Improvement
3 Act;

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

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

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

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

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

20 “(B) EMPLOYMENT BY PUBLIC HEALTH
21 AGENCY.—The term ‘qualified role’ does not in-
22 clude a role in which the health care profes-
23 sional is employed by a Federal, State, local, or
24 Tribal public health agency or is in a related

1 training fellowship, as recognized by the Sec-
2 retary, excluding—

3 “(i) a role under clause (i) of subpara-
4 graph (A) in which the health care profes-
5 sional is employed at a medical facility de-
6 scribed in subclause (XI) of subparagraph
7 (A)(ii);

8 “(ii) a role under clause (ii) of sub-
9 paragraph (A) in which the health care
10 professional is employed at a medical facil-
11 ity described in subclause (V), (VI), or
12 (XI) of subparagraph (A)(ii); or

13 “(iii) a role under clause (i) or (ii) of
14 subparagraph (A) in which the health care
15 professional is employed in any other set-
16 ting specified by the Secretary.

17 “(3) HEALTH CARE PROFESSIONAL.—In this
18 section, the term ‘health care professional’ in-
19 cludes—

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

23 “(i) a physician;

24 “(ii) a clinical pharmacist;

25 “(iii) a physician assistant;

1 “(iv) an advanced practice registered
2 nurse;

3 “(v) an infection preventionist; or

4 “(vi) a clinical laboratory professional;
5 or

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

9 “(i) a physician;

10 “(ii) a clinical pharmacist;

11 “(iii) a physician assistant;

12 “(iv) a dentist; or

13 “(v) an advanced practice registered
14 nurse.

15 “(d) PAYMENTS.—

16 “(1) IN GENERAL.—A loan repayment provided
17 for an individual under a written contract under the
18 Program shall consist of payment, in accordance
19 with paragraph (2), on behalf of the individual of
20 the principal, interest, and related expenses on gov-
21 ernment and commercial loans received by the indi-
22 vidual regarding the undergraduate or graduate edu-
23 cation of the individual (or both), which loans were
24 made for tuition expenses incurred by the individual.

1 “(2) PAYMENTS FOR YEARS SERVED.—For
2 each year of obligated service that an individual con-
3 tracts to serve under subsection (c), the Secretary
4 may pay up to \$50,000 on behalf of the individual
5 for loans described in paragraph (1). With respect to
6 participants under the Program whose total eligible
7 loans are less than \$150,000, the Secretary shall
8 pay an amount that does not exceed $\frac{1}{3}$ of the eligi-
9 ble loan balance for each year of obligated service of
10 the individual.

11 “(3) TAX LIABILITY.—For the purpose of pro-
12 viding reimbursements for tax liability resulting
13 from payments under paragraph (2) on behalf of an
14 individual, the Secretary shall, in addition to such
15 payments, make payments to the individual in an
16 amount not to exceed 39 percent of the total amount
17 of loan repayments made for the taxable year in-
18 volved.

19 “(e) POSTPONING OBLIGATED SERVICE.—With re-
20 spect to any individual participating in the Program, the
21 date of the initiation of the period of obligated service may
22 be postponed as approved by the Secretary.

23 “(f) BREACH OF CONTRACT.—An individual who fails
24 to comply with the contract entered into under subsection
25 (c) shall be subject to the same financial penalties as pro-

1 vided for under section 338E for breaches of loan repay-
2 ment contracts under section 338B.

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

5 “(1) distribute contracts under this section eq-
6 uitably among geographic areas of the United
7 States; and

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

13 “(h) ADDITIONAL CRITERIA.—The Secretary—

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

18 “(2) shall give notice to the committees speci-
19 fied in subsection (i) of any criteria and rules so es-
20 tablished.

21 “(i) REPORT TO CONGRESS.—Not later than 3 years
22 after the date of enactment of this section, and every other
23 year thereafter, the Secretary shall prepare and submit
24 to the Committee on Health, Education, Labor, and Pen-

1 sions of the Senate and the Committee on Energy and
2 Commerce of the House of Representatives a report on—

3 “(1) the number and location of borrowers who
4 have qualified for loan repayments under this sec-
5 tion; and

6 “(2) the impact of this section on the avail-
7 ability of—

8 “(A) health care professionals engaged in
9 bio-preparedness and response activities de-
10 scribed in subsection (c)(2)(A)(i), and health
11 care professionals engaged in infectious diseases
12 care described in subsection (c)(2)(A)(ii), na-
13 tionally; and

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

18 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to carry out this section
20 \$50,000,000 for each of fiscal years 2023 through 2027.”.

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