

112TH CONGRESS  
1ST SESSION

# S. 1505

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.

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IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## 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 2011”.

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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