IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1959

Mr. Fogarty introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To authorize a ten-year program of grants for construction of medical, dental, and public health educational facilities, 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 That this Act may be cited as the “Health Educational
4 Facilities Construction Act of 1959”.
5 NATIONAL ADVISORY COUNCIL ON HEALTH EDUCATIONAL
6 AND RESEARCH FACILITIES

7 Sec. 2. Paragraph (1) of section 702 of the Public
8 Health Service Act is amended by inserting “Educational
9 and” immediately after “Health”.

10 Sec. 3. (a) The heading of section 703 of the Public
Health Service Act is amended by striking out "RESEARCH FACILITIES" and inserting in lieu thereof "EDUCATIONAL AND RESEARCH FACILITIES".

(b) (1) The first sentence of subsection (a) of such section is amended by striking out "Research Facilities" and inserting in lieu thereof "Educational and Research Facilities", by striking out "the Surgeon General of the Public Health Service who shall be Chairman, and" and inserting in lieu thereof "the Surgeon General, who shall be Chairman, the Commissioner of Education, and", and by striking out "twelve" and inserting in lieu thereof "sixteen".

(2) The second sentence of such subsection is amended by striking out "Four" and inserting in lieu thereof "Six" and by striking out "eight" and inserting in lieu thereof "ten".

(3) Clause (1) of the third sentence of such subsection is amended by inserting "medical or dental schools or" before "institutions". Clause (2) of such sentence is amended by striking out "research" and inserting in lieu thereof "research or teaching".

(c) Paragraphs (1) and (2) of subsection (b) of such section 703 are amended by inserting immediately after "this title", each time it appears, the following: "and title VIII".
GRANTS FOR HEALTH EDUCATIONAL FACILITIES

SEC. 4. The Public Health Service Act (42 U.S.C., chapter 6A) is amended by adding at the end thereof the following new title:

"TITLE VIII—HEALTH EDUCATIONAL FACILITIES CONSTRUCTION PROGRAM

"Sec. 801. The Congress hereby finds and declares that—

"(a) increased demand for health services and health research necessitates the expansion and improvement of existing health educational facilities;

"(b) steadily increasing tuition fees and increasing contributions from private citizens, associations, funds, and foundations and from the health professions themselves have proven insufficient to provide the necessary capital funds required for such expansion and improvement;

"(c) it is, therefore, the policy of the Congress to provide funds for construction of health educational facilities for our public and nonprofit medical, dental, and public health schools, thus insuring the continued production of an adequate number of properly qualified and trained physicians, dentists, teachers, and research scientists."
"DEFINITIONS"

"SEC. 802. As used in this title—

(1) The term 'Council' means the National Advisory Council on Health Educational and Research Facilities established by section 703.

(2) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects’ fees in excess of amounts granted under section 803 (c) (3), but not including the cost of acquisition of land or off-site improvements, except in the case of existing structures suitable for use as health educational facilities, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered.

(3) The term 'nonprofit', as applied to a school, means a school owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(4) The term 'medical school' includes two-year schools and means a school providing training leading to the degree of doctor of medicine or osteopathy, approved or accredited by a recognized body or bodies approved by the Surgeon General after he has obtained the advice and recommendation of the Council, except that a new school which
(by reason of no, or an insufficient, period of operation) is not, at the time of application for a grant to construct a facility under this title, eligible for accreditation by such a recognized body or bodies, shall be deemed accredited for purposes of this title if the Surgeon General finds, after consultation with the appropriate accreditation body or bodies, that there is reasonable assurance that the school will, upon completion of such facility, meet the accreditation standards of such body or bodies.

"(5) The term 'dental school' means a school which provides training leading to the degree of doctor of dental surgery, or an equivalent degree, approved or accredited by a recognized body or bodies approved by the Surgeon General after he has obtained the advice and recommendation of the Council.

"(6) The term 'public health school' means a school which provides comprehensive professional training, specialized consultative services, and technical assistance in the fields of public health and in the administration of State and local public health programs.

"(7) The term 'health educational facilities' includes educational and related research facilities in medicine, dentistry, and public health.

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"AUTHORIZATION OF APPROPRIATIONS"

"Sec. 803. (a) To assist in the construction of health educational facilities, as provided in this title, there is hereby authorized to be appropriated—

"(1) $50,000,000 for the fiscal year beginning July 1, 1959, and each of the four succeeding fiscal years for grants for the expansion and improvement of existing schools of medicine, dentistry, and public health; and

"(2) $100,000,000 for the period beginning July 1, 1959, and ending June 30, 1969, for grants for the construction of new schools of medicine, dentistry, or public health.

"(b) Sums appropriated pursuant to this section shall remain available until expended.

"(c) No such grant shall be in excess of 50 per centum of the cost of construction with respect to which it is made, except that—

"(1) in the case of new schools, grants may be made in an amount not to exceed 66\(\frac{2}{3}\) per centum of the cost of construction; and

"(2) in the case of existing schools, grants may be made in an amount not to exceed 66\(\frac{2}{3}\) per centum of that portion of the costs of construction found by the
Surgeon General to be reasonably attributable to expanded capacity for freshman enrollment; and

"(3) upon application of any medical, dental, or public health school, a grant of not to exceed $25,000 may be made for the purpose of preparing initial plans with estimates for the proposed new construction.

"(c) In the case of existing schools, no grant or grants shall be made to any one medical school in excess of $3,000,000 or to any one dental or public health school in excess of $1,000,000 for the total five-year program authorized in this section, exclusive of amounts granted under subsection (b)(3) of this section.

"APPLICATIONS BY MEDICAL, DENTAL, AND PUBLIC HEALTH SCHOOLS FOR GRANTS

"Sec. 804. Any new or existing public or nonprofit medical, dental, or public health school desiring a grant under this title may file an application therefor with the Surgeon General for the fiscal year in which such grant is desired. Such application shall contain such information as the Surgeon General may by regulation prescribe and shall contain adequate assurances that the school will be operated as a public or nonprofit institution, and comply with all provisions of this title and regulations promulgated pursuant thereto."
"GRANTS FOR CONSTRUCTION"

"Sec. 805. (a) The Surgeon General, in accordance with regulations, and upon the recommendation of the Council, shall determine from time to time the amount to be paid to each medical, dental, or public health school from appropriations under section 803 and shall certify to the Secretary of the Treasury the amounts so determined. Upon receipt of any such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification.

"(b) Not to exceed 20 per centum of the amount of any grant for a new school may, at the discretion of the applicant, be allocated to permanent endowment for the cost of maintenance of the new facility.

"REGULATIONS"

"Sec. 806. All regulations under this title with respect to payments to medical, dental, or public health schools shall be made only after obtaining the advice and recommendation of the Council.

"GENERAL PROVISIONS"

"Sec. 807. Nothing in this title shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any control over, or prescribe any requirements with respect to, the curriculum or admin-
1 administration of any medical, dental, or public health school, or
2 the admission of applicants thereto.”

3 TECHNICAL AMENDMENTS TO ACT OF JULY 1, 1944
4 Sec. 5. (a) The Act of July 1, 1944 (58 Stat. 682),
5 as amended, is hereby further amended by changing the
6 number of title VIII to title IX and by changing the num-
7 bers of sections 801 to 814, inclusive, and references thereto,
8 to sections 901 to 914, respectively.
9 (b) Section 1 of the Public Health Service Act is
10 amended to read as follows:
11 "SECTION 1. Titles I to VIII, inclusive, of this Act
12 may be cited as the ‘Public Health Service Act’."