H. R. 3276

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 1961

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

A BILL

To amend the Public Health Service Act to provide a ten-year program of grants for education in the fields of medicine, and dentistry, 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 SHORT TITLE
4 SECTION 1. This Act may be cited as the “Professional
5 Health Training Act”.
6 NEW TITLE
7 Sec. 2. The Public Health Service Act (42 U.S.C.,
8 ch. 6A) is amended by adding at the end thereof the follow-
9 ing new title:
"TITLE VIII—PROGRAM OF ASSISTANCE FOR
THE EDUCATION OF PROFESSIONAL HEALTH
PERSONNEL

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

"(a) there is a shortage of physicians, dentists,
teachers, and research scientists essential to maintain
and improve the Nation's health and this shortage is
expected to increase sharply unless present opportunities
for training such personnel are strengthened and ex-
panded.

"(b) the cost of providing adequate professional
training is so high and the sources of income for schools
affording such training are so limited as to render it im-
possible for such schools to operate at present capacity
on a financially sound basis, and as to discourage the
expansion of existing schools and the establishment of
new schools necessary to relieve the shortage of pro-
essionally trained personnel;

"(c) it is, therefore, the policy of the Congress to
provide funds necessary to educate adequate numbers of
individuals in the medical and dental professions by
assisting schools which provide such training in meeting
their costs of instruction and the costs of expansion, and
by encouraging the establishment of new schools;"
“(d) it is also the policy of the Congress that the
financial assistance made available to schools under this
title shall be used to supplement, and not to replace,
their existing income and resources.

“DEFINITIONS

“Sec. 802. As used in this title—

“(1) The term ‘Council’ means the National Advisory
Council on Education for Health Professions established by
section 803.

“(2) 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.

“(3) The term ‘medical school’ means a school (A)
which provides training leading to the degree of doctor of
medicine or osteopathy, or the first two years of such train-
ing, and (B) which is approved or accredited by a recog-
nized 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 under this title, eligible for accredita-
tion 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 the school will meet the accreditation standards of such body or bodies.

"(4) The term 'dental school' means a school (A) which provides training leading to the degree of doctor of dental surgery or an equivalent degree, and (B) which is 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 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 the school will meet the accreditation standards of such body or bodies.

"(5) The term 'medical degree' means the degree of doctor of medicine or doctor of osteopathy awarded by a medical school.

"(6) The term 'dental degree' means the degree of doctor of dental surgery or an equivalent degree awarded by a dental school.
"NATIONAL COUNCIL ON EDUCATION FOR HEALTH

"SEC. 803. (a) There is hereby established in the
Public Health Service a National Council on Education for
Health Professions, consisting of the Surgeon General of the
Public Health Service, who shall be Chairman and the Com-
misssioner of Education, who shall be ex officio members, and
ten members appointed without regard to the civil service
laws by the Secretary of Health, Education, and Welfare.
The ten appointed members shall be leaders in the fields of
health sciences, education, or public affairs, and four of the
ten shall be persons active in the fields of professional health
education.

(b) The Council shall advise, assist and make recom-
mendations to the Surgeon General in the preparation of
general regulations and with respect to policy matters arising
in the administration of this title.

(c) The Surgeon General may, with the approval of
the Secretary, appoint such special advisory and technical
committees as may be useful in carrying out his and the
Council's functions under this title.

(d) Appointed members of the Council, and mem-
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bers of technical and advisory committees who are not officers or employees of the United States, while serving on the business of the Surgeon General or Council, shall receive compensation at rates fixed by the Secretary, but not exceeding $50 per diem, and shall be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their homes.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 804. (a) In order to assist schools of medicine and dentistry, to maintain and increase their enrollments of students, there is hereby authorized to be appropriated for each fiscal year ending prior to July 1, 1971, such sums as may be necessary to make the payments provided in this section. Payments to schools from appropriations under this section may be used to meet the costs (herein referred to as 'cost of instruction') of establishing, maintaining, and enlarging their staffs and of maintaining and operating their facilities (including the acquisition of equipment).

"(b) Payments to schools for any fiscal year shall be in the form of block grants plus an additional amount based on the number of students enrolled therein for such fiscal year, as follows:
“(1) to each school of medicine or dentistry which provides training leading to a medical or dental degree, $100,000 a year, or to a school providing only one, two, or three years of such training, $25,000, $50,000, or $75,000, respectively;

“(2) to each school of medicine or dentistry which provides training leading to a medical or dental degree, $500 for each student enrolled for such training, and, subject to the limitation in subsection (c), an additional $500 for each student so enrolled in excess of its average past enrollment.

The total payment to any school pursuant to this section for any fiscal year shall not exceed 50 per centum of the amount determined by the Surgeon General to be costs of instruction in such school for such year (excluding from such costs, the cost of special training projects which are outside the school’s regular curriculum and are financed through public or private grants made specifically for such projects, the cost of operation of any hospital, and the cost of research projects).

“(c) (1) Except as otherwise provided in paragraph (3) of this subsection, the number of students enrolled for training in any school which shall be counted for any fiscal year as ‘enrolled in excess of its average past enrollment’
for purposes of subsection (b) shall be the sum of the numbers by which the enrollment in each year class exceeds the average past enrollment in such class.

"(2) The average past enrollment in any year class shall be computed for each year for which a grant application is made. It shall be the average of enrollments in such class for the period consisting of the past three fiscal years. For grants for fiscal year 1961, the average shall be based on the enrollment of the three fiscal years ending June 30, 1958, June 30, 1959, and June 30, 1960, except that if training in a year class was not provided by a school during one or two of the fiscal years in such period, such fiscal year or years shall be excluded in determining the average past enrollment in such class.

"(3) If training in a year class was not provided by a school during any of the past three fiscal years but is provided by the school during any fiscal year for which payments are made from appropriations under section 804 all students enrolled for training in such a class shall be counted as ‘enrolled in excess of average past enrollment’ for purposes of subsection (b), during the first three years in which such training is provided.

"(d) For purposes of this section, the number of students enrolled for training in a school, or in a particular year class in a school, for a fiscal year means the number
enrolled full time in such school or class for such training, as determined by the Surgeon General in accordance with regulations, for the first semester or other school term which commences after the beginning of such fiscal year, except that in the case of any school which during a fiscal year provides periods of training less than or in excess of the periods of training customarily provided in schools of the same class, regulations shall provide for the determination of enrollments in such school for such fiscal year in such manner as to take reasonable account of the difference in the rate at which students are thus trained.

"(e) No school shall be eligible for payments from appropriations under this section unless it is a public or nonprofit institution, located within the United States, exempt from Federal income taxation.

"CONDITIONS FOR GRANTS

"Sec. 805. (a) No payments from appropriations pursuant to section 804 for any fiscal year may be made to any school unless such school has filed an application therefore for such year which contains adequate assurance, as determined by the Surgeon General, that—

"(1) such school provides and will provide reasonable opportunity for the admission of out-of-State students;

"(2) such school will, during the period in which it
receives such payments, make every reasonable effort to maintain its income for operating expenses from sources other than the Federal Government at a level equal to that which it was receiving before such payments began (or, in the case of a new school, at the highest possible level); and

"(3) such school will submit from time to time such reports as the Surgeon General may reasonably require to carry out the purposes of this part.

"PAYMENTS AND WITHHOLDING OF PAYMENTS"

"Sec. 806. (a) The Surgeon General, in accordance with regulations, shall determine from time to time the amount to be paid to each 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) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to a school, finds with respect to payments from appropriations under section 804 that there is a failure to carry out any assurance given pursuant to section 804 or to comply with regulations under this part, the Surgeon General shall notify such school that further payments will not be made to it
from appropriations under such section until he is satisfied that there is no longer any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payments to such school from appropriations under such section."

TECHNICAL AMENDMENTS TO ACT OF JULY 1, 1944

SEC. 3. (a) The Act of July 1, 1944 (58 Stat. 682), as amended, is hereby further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914, respectively.

(b) Section 1 of the Public Health Service Act is amended to read as follows:

"SHORT TITLE

"SECTION 1. Titles I through VIII, inclusive, of this Act may be cited as the 'Public Health Service Act'."