

86TH CONGRESS  
2D SESSION

# H. R. 10255

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1960

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 Federal assistance to States which award scholarships to students of medicine and dentistry.

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 "Medical and  
5 Dental Student Scholarship Act".

6 NEW TITLE

7 SEC. 2. The Public Health Service Act is amended by  
8 adding at the end thereof the following new title:

I

1 "TITLE VIII—SCHOLARSHIPS FOR MEDICAL  
2 AND DENTAL STUDENTS

3 "DEFINITIONS

4 "SEC. 801. As used in this title—

5 "(1) The term 'medical school' means a school in a  
6 State (A) which provides training leading to a degree  
7 of doctor of medicine or osteopathy, and (B) which is  
8 approved or accredited by a recognized body or bodies ap-  
9 proved by the Surgeon General.

10 "(2) The term 'dental school' means a school in a State  
11 (A) which provides training leading to a degree of doc-  
12 tor of dental surgery or an equivalent degree, and (B) which  
13 is approved by a recognized body or bodies approved by the  
14 Surgeon General.

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

18 "(4) The term 'dental degree' means the degree of doc-  
19 tor of dental surgery or an equivalent degree awarded by a  
20 dental school.

21 "(5) The term 'State Commission' means a State Com-  
22 mission on Medical and Dental Scholarships designated or  
23 established in any State, as provided in section 805, to par-  
24 ticipate in the program provided for in this title.

25 "(6) The term 'population aged twenty to twenty-

1 four' means that part of the population which is between  
2 the ages of twenty and twenty-four, both inclusive, and  
3 such population for each State and the several States shall  
4 be determined by the Surgeon General on the basis of the  
5 population between such ages for the most recent year for  
6 which satisfactory data are available from the Depart-  
7 ment of Commerce.

8 “(7) The term ‘resident’ when used with respect to  
9 any State shall have the meaning established by regula-  
10 tions of the Surgeon General and shall include a citizen  
11 of the United States who is domiciled in such State but  
12 is living outside of any State.

13 “(8) The term ‘State’ means a State, the District of  
14 Columbia, Puerto Rico, the Virgin Islands, Guam, or the  
15 Canal Zone.

16 “APPROPRIATIONS AUTHORIZED

17 “SEC. 802. There is hereby authorized to be appropri-  
18 ated the sum of \$5,000,000 for the fiscal year beginning  
19 July 1, 1960; and \$10,000,000 for the fiscal year beginning  
20 July 1, 1961, and for each of the eight succeeding fiscal  
21 years; to carry out the provisions of this title.

22 “ALLOTMENT

23 “SEC. 803. (a) From the sums appropriated pursuant  
24 to section 802 for any fiscal year, the Surgeon General  
25 shall allot to each State which has a State plan approved

1 under section 805 (b) an amount which bears the same  
2 ratio to the amount so appropriated as the population aged  
3 twenty to twenty-four of such State bears to the population  
4 aged twenty to twenty-four of all the States which have  
5 State plans approved under such section.

6 “(b) Any portion of the allotments made under sub-  
7 section (a) which are not obligated or expended during  
8 the fiscal year for which they are made shall be reallocated  
9 by the Surgeon General among the States, which have ex-  
10 pended or obligated their entire allotment for such fiscal  
11 year, in proportion to the allotments under subsection (a)  
12 to such States for such fiscal year. Amounts reallocated under  
13 this subsection shall be available for expenditure and obliga-  
14 tion during the fiscal year following the fiscal year for which  
15 they were first allotted.

16 “PAYMENT TO STATES

17 “SEC. 804. From a State's allotment for a fiscal year  
18 under section 803, the Surgeon General shall pay to the  
19 State commission for such State an amount equal to one-  
20 half of the amount of payments (not exceeding \$2,500 to  
21 any individual in any academic year) made, as scholarship  
22 stipends for the period for which such allotment is made,  
23 by such State commission to individuals in carrying out its  
24 State plan approved under section 805 (b) ; except that no

1 State shall, for any period, receive payments in excess of its  
2 allotments for such period under section 803.

3 "STATE COMMISSIONS; STATE PLANS

4 "SEC. 805. (a) Any State desiring to participate in the  
5 scholarship program under this title may do so by establish-  
6 in a State commission on medical and dental scholarships,  
7 or by designating an existing agency of the State to serve  
8 as the State commission on medical and dental scholarships,  
9 and by submitting to the Surgeon General through such  
10 commission a State plan which—

11 "(1) provides that scholarships will only be awarded  
12 under the State plan to students pursuing a full-time  
13 course of study leading to a medical or dental degree,  
14 who are not receiving expenses of tuition or other  
15 scholarship or fellowship aid or other educational assist-  
16 ance from other Federal sources (other than a monetary  
17 allowance under a Reserve officer's training program);

18 "(2) provides that of the stipend paid to any  
19 scholarship recipient not more than one-half of the  
20 amount of such stipend nor more than \$1,250 for any  
21 academic year will be paid from funds appropriated  
22 pursuant to section 802;

23 "(3) provides that no scholarship will be awarded  
24 for a period of time in excess of the time which would

1 normally be required to permit the recipient to complete  
2 the course of study leading to a medical or dental degree  
3 which he is pursuing or intends to pursue, and in no  
4 case for a period of time in excess of four academic  
5 years;

6 “(4) provides that each resident of the State who  
7 has been accepted for enrollment, or is enrolled, in any  
8 medical or dental school will be eligible to compete for  
9 a scholarship awarded by the State commission if  
10 he makes application in accordance with such reason-  
11 able rules as the State commission may establish;

12 “(5) provides that scholarships will be awarded  
13 solely on the basis of (A) ability to pursue successfully  
14 a course of study leading to a medical or dental degree  
15 as determined by objective tests and other measures of  
16 aptitude and ability which are described in detail, and  
17 (B) need for financial assistance to pursue such a course  
18 of study, as determined on the basis of criteria which are  
19 set forth in detail;

20 “(6) provides that, insofar as possible, of the sums  
21 paid to the State by the Surgeon General under this  
22 title seventy-five per centum will be paid as stipends to  
23 recipients of scholarships who are pursuing a course  
24 of study leading to a medical degree and twenty-five per

1 centum will be paid as stipends to recipients of scholar-  
2 ships who are pursuing a course of study leading to a  
3 dental degree;

4 “(7) provides for a review, at least once during  
5 each academic year, of each outstanding scholarship  
6 awarded by the State commission and for the termina-  
7 tion of such a scholarship if the recipient (A) ceases,  
8 for a reason other than his own physical incapacity,  
9 during any academic year to be a full-time student in  
10 the course of study for which the scholarship was  
11 awarded, or (B) fails to maintain satisfactory pro-  
12 ficiency in the course of study for which the scholar-  
13 ship was awarded;

14 “(8) provides that the State commission will be  
15 the sole agency for administering the plan;

16 “(9) provides that the State commission will make  
17 such reports to the Surgeon General, in such form and  
18 containing such information, as may be reasonably  
19 necessary to enable the Surgeon General to perform his  
20 duties under this title; and

21 “(10) provides for such fiscal control and fund  
22 accounting procedures as may be necessary to assure  
23 proper disbursement of and accounting for Federal  
24 funds paid to the State commission under this title.





1 until he is satisfied that there is no longer any such failure  
2 to comply.

3 “(c) While approval of a State plan submitted under  
4 section 805 (a) is suspended by the Surgeon General he  
5 shall make no further payments under this title to the State  
6 which submitted such State plan.

7 “JUDICIAL REVIEW

8 “SEC. 807. (a) If any State is dissatisfied with the  
9 Surgeon General’s final action with respect to the approval  
10 of its State plan submitted under section 805 (a), or with  
11 respect to his final action under section 806 (b), such State  
12 may, within sixty days after notice of such action, file in  
13 the United States district court for the district in which the  
14 capital of the State is located, a petition to review such  
15 action. The petition for review shall (1) contain a concise  
16 statement of the facts upon which the appeal is based and  
17 (2) designate that part of the Surgeon General’s decision  
18 sought to be reviewed.

19 “(b) Notification of the filing of the petition for review  
20 shall be given by the clerk of the court by mailing a copy of  
21 the petition to the Surgeon General.

22 “(c) No costs or docket fees shall be charged or  
23 imposed with respect to any judicial review proceedings, or  
24 appeal therefrom, taken under this title.



1 bers of the Advisory Committee appointed by the Surgeon  
2 General, three shall be persons recognized as authorities in  
3 the field of professional education, three shall be teachers or  
4 practitioners of medicine, osteopathy, or dentistry, and three  
5 shall be representative of the public generally. The term  
6 of office of each member of the Advisory Committee ap-  
7 pointed by the Surgeon General shall be four years; except  
8 that (1) the terms of office of such members first taking  
9 office shall expire, as designated by the Surgeon General at  
10 the time of appointment, four at the end of two years, and  
11 five at the end of four years; (2) any member appointed to  
12 fill a vacancy occurring prior to the expiration of the term  
13 for which his predecessor was appointed shall be appointed  
14 for the remainder of such term; (3) upon the expiration of  
15 his term of office a member shall continue to serve until his  
16 successor is appointed; and (4) the terms of office of all  
17 members of the Advisory Committee holding office on June  
18 30, 1970, shall expire at the end of such day.

19 “(b) Members of the Advisory Committee appointed  
20 by the Surgeon General, while attending conferences or  
21 meetings of the committee, shall be entitled to receive com-  
22 pensation at a rate to be fixed by the Surgeon General, but  
23 not exceeding \$50 per diem, and while away from their  
24 homes or regular places of business they may be allowed  
25 travel expenses, including per diem in lieu of subsistence, as

1 authorized by law for persons in the Government service  
2 employed intermittently.”

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

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

11 “SHORT TITLE

12 “SECTION 1. Titles I through VIII, inclusive, of this  
13 Act may be cited as the ‘Public Health Service Act’.”

86<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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To amend the Public Health Service Act to provide Federal assistance to States which award scholarships to students of medicine and dentistry.

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By Mr. FOGARTY

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