

88TH CONGRESS  
1ST SESSION

# H. R. 3180

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1963

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 1963".

### 5 GRANTS FOR HEALTH EDUCATIONAL FACILITIES

6 SEC. 2. The Public Health Service Act (42 U.S.C.,  
7 chapter 6A) is amended by adding at the end thereof the  
8 following new title:

#### 9 I

1 "TITLE VIII—HEALTH EDUCATIONAL FACILI-  
2 TIES CONSTRUCTION PROGRAM

3 "SEC. 801. The Congress hereby finds and declares  
4 that—

5 " (a) increased demand for health services and  
6 health research necessitates the expansion and improve-  
7 ment of existing health educational facilities ;

8 " (b) steadily increasing tuition fees and increasing  
9 contributions from private citizens, associations, funds,  
10 and foundations; and from the health professions them-  
11 selves have proven insufficient to provide the necessary  
12 capital funds required for such expansion and im-  
13 provement;

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

21 "DEFINITIONS

22 "SEC. 802. As used in this title—

23 " (1) The term 'Council' means the National Advisory  
24 Council on Health Educational Facilities established by  
25 section 803.

1 “(2) The terms ‘construction’ and ‘cost of construction’  
2 include (A) the construction of new buildings and the ex-  
3 pansion, remodeling, and alteration of existing buildings,  
4 including architects’ fees in excess of amounts granted under  
5 section 804 (c) (3), but not including the cost of acquisition  
6 of land or off-site improvements, except in the case of exist-  
7 ing structures suitable for use as health educational facilities,  
8 and (B) equipping new buildings and existing buildings,  
9 whether or not expanded, remodeled, or altered.

10 “(3) The term ‘nonprofit’, as applied to a school, means  
11 a school owned and operated by one or more nonprofit cor-  
12 porations or associations no part of the net earnings of which  
13 inures, or may lawfully inure, to the benefit of any private  
14 shareholder or individual.

15 “(4) The term ‘medical school’ includes two-year  
16 schools and means a school providing training leading to the  
17 degree of doctor of medicine or osteopathy, approved or  
18 accredited by a recognized body or bodies approved by the  
19 Surgeon General after he had obtained the advice and recom-  
20 mendation of the Council, except that a new school which  
21 (by reason of no, or an insufficient, period of operation)  
22 is not, at the time of application for a grant to construct a  
23 facility under this title, eligible for accreditation by such a  
24 recognized body or bodies, shall be deemed accredited for  
25 purposes of this title if the Surgeon General finds, after

1 consultation with the appropriate accreditation body or  
2 bodies, that there is reasonable assurance that the school will,  
3 upon completion of such facility, meet the accreditation  
4 standards of such body or bodies.

5 “(5) The term ‘dental school’ means a school which  
6 provides training leading to the degree of doctor of dental  
7 surgery, or an equivalent degree, approved or accredited by  
8 a recognized body or bodies approved by the Surgeon Gen-  
9 eral after he has obtained the advice and recommendation of  
10 the Council, except that a new school which (by reason of  
11 no, or an insufficient, period of operation) is not, at the time  
12 of application for a grant to construct a facility under this  
13 title, eligible for accreditation by such a recognized body or  
14 bodies, shall be deemed accredited for purposes of this title  
15 if the Surgeon General finds, after consultation with the  
16 appropriate accreditation body or bodies, that there is rea-  
17 sonable assurance that the school will, upon completion of  
18 such facility, meet the accreditation standards of such body  
19 or bodies.

20 “(6) The term ‘public health school’ means a school  
21 which provides comprehensive professional training, special-  
22 ized consultative services, and technical assistance in the  
23 fields of public health and in the administration of State and  
24 local public health programs, except that a new school which  
25 (by reason of no, or an insufficient, period of operation) is

1 not, at the time of application for a grant to construct a  
2 facility under this title, eligible for accreditation by such a  
3 recognized body or bodies, shall be deemed accredited for  
4 purposes of this title if the Surgeon General finds, after con-  
5 sultation with the appropriate accreditation body or bodies,  
6 that there is reasonable assurance that the school will, upon  
7 completion of such facility, meet the accreditation standards  
8 of such body or bodies.

9 “(7) The term ‘health educational facilities’ includes  
10 educational and related research facilities in medicine, den-  
11 tistry, and public health.

12 “NATIONAL ADVISORY COUNCIL ON HEALTH EDUCATIONAL  
13 FACILITIES

14 “SEC. 803. (a) There is hereby established in the  
15 Public Health Service a National Advisory Council on  
16 Health Educational Facilities, consisting of the Surgeon  
17 General of the Public Health Service, who shall be Chair-  
18 man, and the Commissioner of Education, who shall be ex  
19 officio members, and ten members appointed by the Secretary  
20 without regard to the civil service laws. The ten appointed  
21 members shall be leaders in the fields of health sciences,  
22 education, or public affairs, and four of the ten shall be  
23 persons active in the fields of professional health education.

1 “(b) The Council shall—  
2 “(1) advise and assist the Surgeon General in the  
3 preparation of general regulations and with respect to  
4 policy matters arising in the administration of this title;  
5 and

6 “(2) consider all applications for grants under this  
7 title and make to the Surgeon General such recom-  
8 mendations as it deems advisable with respect to (a)  
9 the approval of such applications, and (b) the amount  
10 which should be granted to each institution whose appli-  
11 cation, in its opinion, should be approved.

12 “(c) Appointed members of the Council, while attend-  
13 ing conferences or meetings of the Council or while other-  
14 wise serving at the request of the Secretary, shall be entitled  
15 to receive compensation at a rate to be fixed by the Secre-  
16 tary but not exceeding \$50 per diem, including travel time,  
17 and while away from their homes or regular places of busi-  
18 ness they may be allowed travel expenses, including per  
19 diem in lieu of subsistence, as authorized by law (5 U.S.C.  
20 73b-2) for persons in the Government service employed  
21 intermittently.

22 “AUTHORIZATION OF APPROPRIATIONS

23 “SEC. 804. (a) To assist in the construction of health  
24 educational facilities, as provided in this title, there is hereby  
25 authorized to be appropriated—

1 “(1) \$50,000,000 for the fiscal year beginning  
2 July 1, 1963, and each of the four succeeding fiscal  
3 years for grants for the expansion and improvement of  
4 existing schools of medicine, dentistry, and public  
5 health; and

6 “(2) \$60,000,000 for each fiscal year in the period  
7 beginning July 1, 1963, and ending June 30, 1973,  
8 for grants for the construction of new schools of medi-  
9 cine, dentistry, or public health.

10 “(b) Sums appropriated pursuant to this section shall  
11 remain available until expended.

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

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

18 “(2) in the case of existing schools, grants may be  
19 made in an amount not to exceed  $66\frac{2}{3}$  per centum of  
20 that portion of the costs of construction found by the  
21 Surgeon General to be reasonably attributable to ex-  
22 panded capacity for freshman enrollment; and

23 “(3) upon application of any medical, dental, or  
24 public health school, a grant of not to exceed \$25,000

1 may be made for the purpose of preparing initial plans  
2 with estimates for the proposed new construction.

3 “(c) In the case of existing schools, no grant or grants  
4 shall be made to any one medical school in excess of  
5 \$3,000,000 or to any one dental or public health school in  
6 excess of \$1,000,000 for the total five-year program au-  
7 thorized in this section, exclusive of amounts granted under  
8 subsection (b) (3) of this section.

9 “APPLICATIONS BY MEDICAL, DENTAL, AND PUBLIC  
10 HEALTH SCHOOLS FOR GRANTS (d)

11 “SEC. 805. Any new or existing public or nonprofit  
12 medical, dental, or public health school desiring a grant  
13 under this title may file an application therefor with the  
14 Surgeon General for the fiscal year in which such grant is  
15 desired. Such application shall contain such information as  
16 the Surgeon General may by regulation prescribe and shall  
17 contain adequate assurances that the school will be operated  
18 as a public or nonprofit institution, and comply with all  
19 provisions of this title and regulations promulgated pur-  
20 suant thereto.

21 “GRANTS FOR CONSTRUCTION

22 “SEC. 806. (a) The Surgeon General, in accordance  
23 with regulations, and upon the recommendation of the Coun-  
24 cil, shall determine from time to time the amount to be  
25 paid to each medical, dental, or public health school from



1 appropriations under section 804 and shall certify to the  
2 Secretary of the Treasury the amounts so determined. Upon  
3 receipt of any such certification, the Secretary of the Treas-  
4 ury shall, prior to audit or settlement by the General Ac-  
5 counting Office, pay in accordance with such certification.

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

10 “REGULATIONS

11 “SEC. 807. All regulations under this title with respect  
12 to payments to medical, dental, or public health schools  
13 shall be made only after obtaining the advice and recom-  
14 mendation of the Council.

15 “GENERAL PROVISIONS

16 “SEC. 808. Nothing in this title shall be construed as  
17 authorizing any department, agency, officer, or employee of  
18 the United States to exercise any control over, or prescribe  
19 any requirements with respect to, the curriculum or admin-  
20 istration of any medical, dental, or public health school. or  
21 the admission of applicants thereto.”

22 TECHNICAL AMENDMENTS TO ACT OF JULY 1, 1944

23 SEC. 3. (a) The Act of July 1, 1944 (58 Stat. 682),  
24 as amended, is hereby further amended by changing the  
25 number of title VIII to title IX and by changing the num-

1 bers of sections 801 to 814, inclusive, and references thereto,  
2 to sections 901 to 914, respectively.

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

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

"TITLE VIII—HEALTH EDUCATIONAL FACILITIES CONSTRUCTION PROGRAM

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

"(a) increased demand for health services and health needs necessitate the expansion and improvement of health educational facilities;

The health services and health needs of the Nation are being met in part by contributions from private citizens, associations, and foundations, and from the health services themselves but have proven insufficient to meet the capital funds required for their improvement;

"(b) it is the policy of the United States to provide funds for the construction of health educational facilities for the benefit of the Nation and to encourage the production of an adequate number of properly qualified and trained physicians, dentists, nurses, and research scientists.

"Sec. 802. As used in this title—

"(1) The term 'Council' means the National Advisory Council on Health Educational Facilities, established by section 803.

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