

88TH CONGRESS
1ST SESSION

H. R. 3302

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1963

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,*

SHORT TITLE

4 SECTION 1. This Act may be cited as the "Professional
5 Health Training Act".

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:

1 "TITLE VIII—PROGRAM OF ASSISTANCE FOR
2 THE EDUCATION OF PROFESSIONAL HEALTH
3 PERSONNEL

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

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

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

20 " (c) it is, therefore, the policy of the Congress to
21 provide funds necessary to educate adequate numbers of
22 individuals in the medical and dental professions by
23 assisting schools which provide such training in meeting
24 their costs of instruction and the costs of expansion, and
25 by encouraging the establishment of new schools;

1 “(d) it is also the policy of the Congress that the
2 financial assistance made available to schools under this
3 title shall be used to supplement, and not to replace,
4 (A) their existing income and resources.

5 “DEFINITIONS

6 “SEC. 802. As used in this title—

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

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

15 “(3) The term ‘medical school’ means a school (A)
16 which provides training leading to the degree of doctor of
17 medicine or osteopathy, or the first two years of such train-
18 ing, and (B) which is approved or accredited by a recog-
19 nized body or bodies approved by the Surgeon General
20 after he has obtained the advice and recommendation of the
21 Council, except that a new school which (by reason of no,
22 or an insufficient, period of operation) is not, at the time of
23 application for a grant under this title, eligible for accredita-
24 tion by such a recognized body or bodies, shall be deemed
25 accredited for purposes of this title if the Surgeon General

1 finds, after consultation with the appropriate accreditation
2 body or bodies, that the school will meet the accreditation
3 standards of such body or bodies.

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

18 “(5) The term ‘medical degree’ means the degree of
19 doctor of medicine or doctor of osteopathy awarded by a
20 medical school.

21 “(6) The term ‘dental degree’ means the degree of
22 doctor of dental surgery or an equivalent degree awarded by
23 a dental school.

1 "NATIONAL COUNCIL ON EDUCATION FOR HEALTH
2 PROFESSIONS

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

14 "(b) The Council shall advise, assist and make recom-
15 mendations to the Surgeon General in the preparation of
16 general regulations and with respect to policy matters aris-
17 ing in the administration of this title.

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

22 "(d) Appointed members of the Council, and mem-

1 bers of technical and advisory committees who are not offi-
2 cers or employees of the United States, while serving on
3 the business of the Surgeon General or Council, shall re-
4 ceive compensation at rates fixed by the Secretary, but
5 not exceeding \$50 per diem, and shall be entitled to re-
6 ceive an allowance for actual and necessary traveling and
7 subsistence expenses while so serving away from their
8 homes.

9 "AUTHORIZATION OF APPROPRIATIONS

10 "SEC. 804. (a) In order to assist schools of medicine
11 and dentistry, to maintain and increase their enrollments
12 of students, there is hereby authorized to be appropriated
13 for each fiscal year ending prior to July 1, 1973, such
14 sums as may be necessary to make the payments provided
15 in this section. Payments to schools from appropriations
16 under this section may be used to meet the costs (herein
17 referred to as 'cost of instruction') of establishing, main-
18 taining, and enlarging their staffs and of maintaining and
19 operating their facilities (including the acquisition of
20 equipment).

21 "(b) Payments to schools for any fiscal year shall be
22 in the form of block grants plus an additional amount based
23 on the number of students enrolled therein for such fiscal
24 year, as follows:

1 “(1) to each school of medicine or dentistry which
2 provides training leading to a medical or dental degree,
3 \$100,000 a year, or to a school providing only one, two,
4 or three years of such training, \$25,000, \$50,000, or
5 \$75,000, respectively;

6 “(2) to each school of medicine or dentistry which
7 provides training leading to a medical or dental degree,
8 \$500 for each student enrolled for such training, and,
9 subject to the limitation in subsection (c), an additional
10 \$500 for each student so enrolled in excess of its aver-
11 age past enrollment.

12 The total payment to any school pursuant to this section for
13 any fiscal year shall not exceed 50 per centum of the amount
14 determined by the Surgeon General to be costs of instruc-
15 tion in such school for such year (excluding from such costs,
16 the cost of special training projects which are outside the
17 school's regular curriculum and are financed through public
18 or private grants made specifically for such projects, the
19 cost of operation of any hospital, and the cost of research
20 projects).

21 “(c) (1) Except as otherwise provided in paragraph
22 (3) of this subsection, the number of students enrolled for
23 training in any school which shall be counted for any fiscal
24 year as ‘enrolled in excess of its average past enrollment’

1 for purposes of subsection (b) shall be the sum of the num-
2 bers by which the enrollment in each year class exceeds the
3 average past enrollment in such class.

4 “(2) The average past enrollment in any year class
5 shall be computed for each year for which a grant applica-
6 tion is made. It shall be the average of enrollments in such
7 class for the period consisting of the past three fiscal years.

8 For grants for fiscal year 1963, the average shall be based
9 on the enrollment of the three fiscal years ending June 30,
10 1960, June 30, 1961, and June 30, 1962, except that if
11 training in a year class was not provided by a school during
12 one or two of the fiscal years in such period, such fiscal year
13 or years shall be excluded in determining the average past
14 enrollment in such class.

15 “(3) If training in a year class was not provided by a
16 school during any of the past three fiscal years but is pro-
17 vided by the school during any fiscal year for which pay-
18 ments are made from appropriations under section 804 all
19 students enrolled for training in such a class shall be counted
20 as enrolled in excess of average past enrollment’ for pur-
21 poses of subsection (b), during the first three years in which
22 such training is provided.

23 “(d) For purposes of this section, the number of
24 students enrolled for training in a school, or in a particular
25 year class in a school, for a fiscal year means the number

1 enrolled full time in such school or class for such training, as
2 determined by the Surgeon General in accordance with regu-
3 lations, for the first semester or other school term which
4 commences after the beginning of such fiscal year, except
5 that in the case of any school which during a fiscal year
6 provides periods of training less than or in excess of the
7 periods of training customarily provided in schools of the
8 same class, regulations shall provide for the determination
9 of enrollments in such school for such fiscal year in such
10 manner as to take reasonable account of the difference in the
11 rate at which students are thus trained.

12 “(e) No school shall be eligible for payments from
13 appropriations under this section unless it is a public or
14 nonprofit institution, located within the United States, ex-
15 empt from Federal income taxation.

16 “CONDITIONS FOR GRANTS

17 “SEC. 805. (a) No payments from appropriations pur-
18 suant to section 804 for any fiscal year may be made to any
19 school unless such school has filed an application therefor
20 for such year which contains adequate assurance, as deter-
21 mined by the Surgeon General, that—

22 “(1) such school provides and will provide reason-
23 able opportunity for the admission of out-of-State
24 students;

25 “(2) such school will, during the period in which it

1 receives such payments, make every reasonable effort to
2 maintain its income for operating expenses from sources
3 other than the Federal Government at a level equal to
4 that which it was receiving before such payments began
5 (or, in the case of a new school, at the highest possible
6 level) ; and
7 “(3) such school will submit from time to time such
8 reports as the Surgeon General may reasonably require
9 to carry out the purposes of this part.

10 “PAYMENTS AND WITHHOLDING OF PAYMENTS

11 “SEC. 806. (a) The Surgeon General, in accordance
12 with regulations, shall determine from time to time the
13 amount to be paid to each school from appropriations under
14 section 803 and shall certify to the Secretary of the Treasury
15 the amounts so determined. Upon receipt of any such cer-
16 tification, the Secretary of the Treasury shall, prior to audit
17 or settlement by the General Accounting Office, pay in ac-
18 cordance with such certification.

19 “(b) Whenever the Surgeon General, after reasona-
20 ble notice and opportunity for hearing to a school, finds
21 with respect to payments from appropriations under sec-
22 tion 804 that there is a failure to carry out any assur-
23 ance given pursuant to section 804 or to comply with
24 regulations under this part, the Surgeon General shall notify
25 such school that further payments will not be made to it

1 from appropriations under such section until he is satis-
 2 fied that there is no longer any such failure. Until he is
 3 so satisfied the Surgeon General shall make no further
 4 certification for payments to such school from approp-
 5 riations under such section."

6 TECHNICAL AMENDMENTS TO ACT OF JULY 1, 1944

7 SEC. 3. (a) The Act of July 1, 1944 (58 Stat. 682),
 8 as amended, is hereby further amended by renumbering
 9 title VIII (as in effect prior to the enactment of this
 10 Act) as title IX and by renumbering sections 801 through
 11 814 (as in effect prior to the enactment of this Act), and
 12 references thereto, as sections 901 through 914, respectively.

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

15 "SHORT TITLE

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

18 SHORT TITLE

19 SECTION 1. This Act may be cited as the "Professional
 20 Health Training Act".

21 NEW TITLE

22 SEC. 2. The Public Health Service Act (42 U.S.C.,
 23 amended by adding at the end thereof the follow-

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