

118TH CONGRESS  
1ST SESSION

# H. R. 5829

To amend title II of the Public Health Service Act to provide clarity with respect to coverage of claims against health care practitioners providing health professional volunteer services at community health centers during declared emergencies.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2023

Mr. BARR (for himself, Ms. KUSTER, Ms. TOKUDA, Ms. JACKSON LEE, Ms. WILD, Mr. MOYLAN, Mr. ROGERS of Alabama, Mr. PAPPAS, Mr. BUCSHON, Mr. MEUSER, Mr. ROGERS of Kentucky, Mr. SMITH of Nebraska, Mr. DAVIS of North Carolina, and Mr. MANN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title II of the Public Health Service Act to provide clarity with respect to coverage of claims against health care practitioners providing health professional volunteer services at community health centers during declared emergencies.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Care Practi-  
5 tioner Disaster Protection Act”.

1 **SEC. 2. COVERAGE OF CLAIMS AGAINST PRACTITIONERS**  
2 **PROVIDING HEALTH PROFESSIONAL VOLUN-**  
3 **TEER SERVICES AT COMMUNITY HEALTH**  
4 **CENTERS DURING DECLARED EMERGENCIES.**

5 (a) IN GENERAL.—Section 224(q)(3) of the Public  
6 Health Service Act (42 U.S.C. 233(q)(3)) is amended by  
7 adding at the end the following:

8 “(E) Notwithstanding the process described in  
9 clauses (i) and (ii) of subparagraph (B), a health  
10 care practitioner who is a health professional volun-  
11 teer sponsored by an entity described in subsection  
12 (g)(4) shall be deemed to be sponsored by another  
13 entity described in subsection (g)(4) if—

14 “(i) such other entity seeks the assistance  
15 of such health professional volunteer for pur-  
16 poses of responding to a declared emergency;

17 “(ii) such other entity submits a notifica-  
18 tion of such assistance to the Secretary not  
19 later than 15 days after the first day on which  
20 such volunteer is to begin service at such entity;  
21 and

22 “(iii) such volunteer is serving at such en-  
23 tity pursuant to such notification during a cov-  
24 ered service period.

25 “(F) For purposes of subparagraph (E):

1           “(i) The term ‘covered service period’  
2 means the period—

3           “(I) beginning on the later of—

4           “(aa) the date on which the vol-  
5 unteer begins service at another entity  
6 described in subsection (g)(4); or

7           “(bb) the first day of a declared  
8 emergency, as determined by the Sec-  
9 retary, acting through the Adminis-  
10 trator of the Health Resources and  
11 Services Administration; and

12           “(II) ending on the earliest of—

13           “(aa) the date on which the de-  
14 clared emergency ends;

15           “(bb) the date on which the pro-  
16 vider stops volunteering at such other  
17 entity; or

18           “(cc) 90 days after the date de-  
19 termined under subclause (I).

20           “(ii) The term ‘declared emergency’  
21 means—

22           “(I) an emergency or disaster de-  
23 clared by the President pursuant to the  
24 National Emergencies Act or the Robert T.

1                   Stafford Disaster Relief and Emergency  
2                   Assistance Act; and

3                   “(II) a public health emergency de-  
4                   clared by the Secretary pursuant to section  
5                   319.”.

6           (b) CONFORMING AMENDMENTS.—Section 224(q) of  
7 the Public Health Service Act (42 U.S.C. 233(q)) is  
8 amended—

9           (1) in paragraph (2)—

10                   (A) in subparagraph (B), by inserting be-  
11                   fore the period at the end the following: “(or is  
12                   deemed to be sponsoring a health care practi-  
13                   tioner pursuant to paragraph (3)(E))”; and

14                   (B) in subparagraph (E), by inserting be-  
15                   fore the period at the end the following: “(and  
16                   in the case of a health care practitioner pro-  
17                   viding services at another entity described in  
18                   subsection (g)(4) pursuant to paragraph (3)(E),  
19                   the State in which such other entity is lo-  
20                   cated)”; and

21           (2) in paragraph (3)(B), in the matter pre-  
22           ceding clause (i), by striking “With respect” and in-  
23           serting “Except as provided in subparagraph (E),  
24           with respect”.

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