

117TH CONGRESS  
1ST SESSION

# S. 3244

To amend the Public Health Service Act to establish a Bio-Preparedness and Infectious Diseases Workforce Loan Repayment Program.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2021

Ms. BALDWIN (for herself, Ms. COLLINS, Ms. ROSEN, Ms. MURKOWSKI, Mrs. GILLIBRAND, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to establish a Bio-Preparedness and Infectious Diseases Workforce Loan Repayment Program.

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 “Bolstering Infectious  
5 Outbreaks Preparedness Workforce Act of 2021” or the  
6 “BIO Preparedness Workforce Act of 2021”.

1 **SEC. 2. ESTABLISHMENT OF A BIO-PREPAREDNESS AND IN-**  
 2 **FECTIONOUS DISEASES WORKFORCE LOAN RE-**  
 3 **PAYMENT PROGRAM.**

4 Subpart 3 of part E of title VII of the Public Health  
 5 Service Act (42 U.S.C. 295f et seq.) is amended by insert-  
 6 ing after section 776 (42 U.S.C. 295f–1) the following:

7 **“SEC. 776A BIO-PREPAREDNESS AND INFECTIOUS DIS-**  
 8 **EASES WORKFORCE LOAN REPAYMENT PRO-**  
 9 **GRAM.**

10 “(a) ESTABLISHMENT.—The Secretary, acting  
 11 through the Administrator of the Health Resources and  
 12 Services Administration, shall establish the Bio-Prepared-  
 13 ness and Infectious Diseases Workforce Loan Repayment  
 14 Program (referred to in this section as the ‘Program’) to  
 15 ensure an adequate supply of health care professionals en-  
 16 gaged in bio-preparedness and response activities de-  
 17 scribed in subsection (c)(2)(A)(1) and health care profes-  
 18 sionals engaged in infectious disease care described in sub-  
 19 section (c)(2)(A)(ii).

20 “(b) ELIGIBILITY.—

21 “(1) IN GENERAL.—To be eligible to participate  
 22 in the Program, an individual shall—

23 “(A)(i) be accepted for enrollment, or be  
 24 enrolled, as a student in an accredited academic  
 25 educational institution in a State or territory in  
 26 the final year of a course of study or program

1 leading to a health professions degree or certifi-  
 2 cate described in paragraph (2); or

3 “(ii) have graduated, during the preceding  
 4 10-year period, from an accredited educational  
 5 institution in a State or territory and received  
 6 a health professions degree or certificate de-  
 7 scribed in paragraph (2);

8 “(B) be a United States citizen;

9 “(C)(i) submit an application to the Sec-  
 10 retary to participate in the Program; and

11 “(ii) execute a written contract as required  
 12 in subsection (c); and

13 “(D) not have received, for the same serv-  
 14 ice, a reduction of loan obligations under—

15 “(i) section 338B, 338I, 776, or 846;

16 or

17 “(ii) section 428K or 428L of the  
 18 Higher Education Act of 1965.

19 “(2) HEALTH PROFESSIONS DEGREE OR CER-  
 20 TIFICATE.—A health professions degree or certificate  
 21 described in this paragraph is a degree or certificate  
 22 for—

23 “(A) a doctor of medicine;

24 “(B) a doctor of osteopathic medicine;

25 “(C) a doctor of philosophy;

1 “(D) a doctor of pharmacy;

2 “(E) certification as a registered nurse;

3 “(F) a bachelor of science in nursing;

4 “(G) a master of science in nursing;

5 “(H) certification as a nurse practitioner;

6 “(I) certification as a physician assistant;

7 “(J) a doctor of public health;

8 “(K) a master of public health;

9 “(L) a master of science in epidemiology;

10 “(M) a bachelor of science in medical tech-

11 nology;

12 “(N) certification in medical technology or

13 as a medical lab scientist;

14 “(O) a doctor of dental surgery, doctor of

15 medicine in dentistry, or doctor of dental medi-

16 cine; and

17 “(P) completion of any other program de-

18 termined appropriate by the Secretary.

19 “(c) CONTRACT.—

20 “(1) IN GENERAL.—The written contract (re-

21 ferred to in this section as the ‘written contract’) be-

22 tween the Secretary and an individual shall con-

23 tain—

24 “(A) an agreement on the part of the Sec-

25 retary that the Secretary will repay on behalf of

1 the individual loans incurred by the individual  
2 in the pursuit of the relevant degree or certifi-  
3 cate in accordance with the terms of the con-  
4 tract;

5 “(B) an agreement on the part of the indi-  
6 vidual that the individual will serve as a health  
7 care professional engaged in a qualified role for  
8 a period of time (referred to in this section as  
9 the ‘period of obligated service’) equal to the  
10 greater of—

11 “(i) 3 years; or

12 “(ii) such longer period of time as de-  
13 termined appropriate by the Secretary and  
14 the individual;

15 “(C) a provision that any financial obliga-  
16 tion of the United States arising out of a con-  
17 tract entered into under this section and any  
18 obligation of the individual that is conditioned  
19 thereon, is contingent on funds being appro-  
20 priated for loan repayments under this section;

21 “(D) a statement of the damages to which  
22 the United States is entitled, under this section  
23 for the individual’s breach of the contract; and

1           “(E) such other statements of the rights  
2           and liabilities of the Secretary and of the indi-  
3           vidual, not inconsistent with this section.

4           “(2) QUALIFIED ROLE.—

5           “(A) IN GENERAL.—In this subsection, the  
6           term ‘qualified role’ means either of the fol-  
7           lowing:

8                   “(i)    BIO-PREPAREDNESS    HEALTH  
9                   CARE PROFESSIONAL.—A role in which the  
10                  health care professional spends not less  
11                  than 50 percent of their time engaged in  
12                  bio-preparedness and response activities,  
13                  including—

14                           “(I) developing and updating re-  
15                           sponse, surge, and isolation capacity  
16                           plans and protocols;

17                           “(II) collaborating with State,  
18                           local, and Tribal health departments  
19                           on preparedness and response efforts;

20                           “(III) training health care facil-  
21                           ity personnel in matters related to  
22                           bio-preparedness;

23                           “(IV) purchasing and managing  
24                           equipment (such as personal protec-  
25                           tive equipment) for public health

1 emergencies, including those declared  
2 under section 319;

3 “(V) executing readiness assess-  
4 ments for public health emergencies,  
5 including those declared under section  
6 319;

7 “(VI) repurposing areas of a  
8 health care facility to manage patient  
9 influx;

10 “(VII) communicating with the  
11 public regarding preventing or re-  
12 sponding to public health emergencies,  
13 including those declared under section  
14 319;

15 “(VIII) performing infection pre-  
16 vention and control and environmental  
17 disinfection;

18 “(IX) conducting epidemiologic  
19 surveillance and investigations; and

20 “(X) conducting antimicrobial  
21 stewardship.

22 “(ii) INFECTIOUS DISEASES HEALTH  
23 CARE PROFESSIONAL.—A role (including  
24 through a fellowship) in which the health  
25 care professional spends not less than 50

1 percent of their time engaging in infectious  
2 disease care—

3 “(I) in a medically underserved  
4 community;

5 “(II) for a medically underserved  
6 population as defined in section  
7 330(b)(3);

8 “(III) at a Federally qualified  
9 health center or rural health clinic (as  
10 those terms are defined in section  
11 1861(aa) of the Social Security Act);

12 “(IV) at a health center receiving  
13 assistance under section 330;

14 “(V) at a Federal medical facil-  
15 ity;

16 “(VI) in a health program, or at  
17 a facility operated, by an Indian Tribe  
18 or Tribal organization (as those terms  
19 are defined in section 4 of the Indian  
20 Self-Determination and Education As-  
21 sistance Act) or by an urban Indian  
22 organization as defined in section 4 of  
23 the Indian Health Care Improvement  
24 Act;



1 “(VII) in a health professional  
2 shortage area as designated under  
3 section 332;

4 “(VIII) at an entity receiving as-  
5 sistance under title XXVI for the pro-  
6 vision of clinical services;

7 “(IX) at a critical access hospital  
8 (as defined in section 1861(mm)(1) of  
9 the Social Security Act);

10 “(X) in a frontier health profes-  
11 sional shortage area; or

12 “(XI) at an accredited public  
13 academic educational institution in a  
14 State or territory or health care set-  
15 ting affiliated with such an institu-  
16 tion.

17 “(B) EMPLOYMENT BY PUBLIC HEALTH  
18 AGENCY.—The term ‘qualified role’ does not in-  
19 clude a role in which the health care profes-  
20 sional is employed by a Federal, State, local, or  
21 Tribal public health agency or is in a related  
22 training fellowship, as recognized by the Sec-  
23 retary, excluding—

24 “(i) a role under clause (i) of subpara-  
25 graph (A) in which the health care profes-

1           sional is employed at a medical facility de-  
 2           scribed in subclause (XI) of subparagraph  
 3           (A)(ii);

4           “ (ii) a role under clause (ii) of sub-  
 5           paragraph (A) in which the health care  
 6           professional is employed at a medical facil-  
 7           ity described in subclause (V), (VI), or  
 8           (XI) of subparagraph (A)(ii); or

9           “ (iii) a role under clause (i) or (ii) of  
 10          subparagraph (A) in which the health care  
 11          professional is employed in any other set-  
 12          ting specified by the Secretary.

13          “(3) HEALTH CARE PROFESSIONAL.—In this  
 14          section, the term ‘health care professional’ in-  
 15          cludes—

16          “(A) with respect to an individual in a role  
 17          described in paragraph (2)(A)(i), an individual  
 18          who is—

19                 “(i) a physician;

20                 “(ii) a clinical pharmacist;

21                 “(iii) a physician assistant;

22                 “(iv) an advanced practice registered  
 23          nurse;

24                 “(v) an infection preventionist; or

25                 “(vi) a laboratory professional; or

1           “(B) with respect to an individual in a role  
2           described in paragraph (2)(A)(ii), an individual  
3           who is—

4                   “(i) a physician;

5                   “(ii) a clinical pharmacist;

6                   “(iii) a physician assistant;

7                   “(iv) a dentist; or

8                   “(v) an advanced practice registered  
9           nurse.

10          “(d) PAYMENTS.—

11               “(1) IN GENERAL.—A loan repayment provided  
12               for an individual under a written contract under the  
13               Program shall consist of payment, in accordance  
14               with paragraph (2), on behalf of the individual of  
15               the principal, interest, and related expenses on gov-  
16               ernment and commercial loans received by the indi-  
17               vidual regarding the undergraduate or graduate edu-  
18               cation of the individual (or both), which loans were  
19               made for tuition expenses incurred by the individual.

20               “(2) PAYMENTS FOR YEARS SERVED.—For  
21               each year of obligated service that an individual con-  
22               tracts to serve under subsection (c), the Secretary  
23               may pay up to \$50,000 on behalf of the individual  
24               for loans described in paragraph (1). With respect to  
25               participants under the Program whose total eligible

1 loans are less than \$150,000, the Secretary shall  
2 pay an amount that does not exceed  $\frac{1}{3}$  of the eligi-  
3 ble loan balance for each year of obligated service of  
4 the individual.

5 “(3) TAX LIABILITY.—For the purpose of pro-  
6 viding reimbursements for tax liability resulting  
7 from payments under paragraph (2) on behalf of an  
8 individual, the Secretary shall, in addition to such  
9 payments, make payments to the individual in an  
10 amount not to exceed 39 percent of the total amount  
11 of loan repayments made for the taxable year in-  
12 volved.

13 “(e) POSTPONING OBLIGATED SERVICE.—With re-  
14 spect to any individual participating in the Program, the  
15 date of the initiation of the period of obligated service may  
16 be postponed as approved by the Secretary.

17 “(f) BREACH OF CONTRACT.—An individual who fails  
18 to comply with the contract entered into under subsection  
19 (c) shall be subject to the same financial penalties as pro-  
20 vided for under section 338E for breaches of loan repay-  
21 ment contracts under section 338B.

22 “(g) CONSIDERATIONS.—In awarding contracts  
23 under this section, the Secretary may—

1           “(1) distribute contracts under this section eq-  
2           uitably among geographic areas of the United  
3           States; and

4           “(2) ensure that contracts under this section  
5           help to increase the number of underrepresented mi-  
6           nority individuals (as defined in section 738(b)(5))  
7           serving as health care professionals in roles described  
8           in clauses (i) and (ii) of subsection (c)(2)(A).

9           “(h) ADDITIONAL CRITERIA.—The Secretary—

10           “(1) may establish, in addition to the criteria  
11           and rules specified in this section, such criteria and  
12           rules to carry out this section as the Secretary deter-  
13           mines are needed; and

14           “(2) shall give notice to the committees speci-  
15           fied in subsection (i) of any criteria and rules so es-  
16           tablished.

17           “(i) REPORT TO CONGRESS.—Not later than 3 years  
18           after the date of enactment of this section, and every other  
19           year thereafter, the Secretary shall prepare and submit  
20           to the Committee on Health, Education, Labor, and Pen-  
21           sions of the Senate and the Committee on Energy and  
22           Commerce of the House of Representatives a report on—

23           “(1) the number and location of borrowers who  
24           have qualified for loan repayments under this sec-  
25           tion; and

1           “(2) the impact of this section on the avail-  
2           ability of—

3                   “(A) health care professionals engaged in  
4           bio-preparedness and response activities de-  
5           scribed in subsection (c)(2)(A)(i), and health  
6           care professionals engaged in infectious disease  
7           care described in subsection (c)(2)(A)(ii), na-  
8           tionally; and

9                   “(B) health care professionals engaged in  
10           infectious disease care described in subsection  
11           (c)(2)(A)(ii) in the areas and settings listed in  
12           such subsection.

13           “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
14           is authorized to be appropriated to carry out this section  
15           \$50,000,000 for each of fiscal years 2023 through 2027.”.

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