

(i) is entering or receiving training in an accredited pediatric medical subspecialty or pediatric surgical specialty residency or fellowship; or

(ii) has completed (but not prior to the end of the calendar year in which this section is enacted) the training described in subparagraph (B).

**(B) Child and adolescent mental and behavioral health**

For purposes of contracts with respect to child and adolescent mental and behavioral health care, the term “qualified health professional” means a health care professional who—

(i) has received specialized training or clinical experience in child and adolescent mental health in psychiatry, psychology, school psychology, behavioral pediatrics, psychiatric nursing, social work, school social work, substance abuse disorder prevention and treatment, marriage and family therapy, school counseling, or professional counseling;

(ii) has a license or certification in a State to practice allopathic medicine, osteopathic medicine, psychology, school psychology, psychiatric nursing, social work, school social work, marriage and family therapy, school counseling, or professional counseling; or

(iii) is a mental health service professional who completed (but not before the end of the calendar year in which this section is enacted) specialized training or clinical experience in child and adolescent mental health described in clause (i).

**(2) Additional eligibility requirements**

The Secretary may not enter into a contract under this subsection with an eligible individual unless—

(A) the individual agrees to work in, or for a provider serving, a health professional shortage area or medically underserved area, or to serve a medically underserved population;

(B) the individual is a United States citizen or a permanent legal United States resident; and

(C) if the individual is enrolled in a graduate program, the program is accredited, and the individual has an acceptable level of academic standing (as determined by the Secretary).

**(d) Priority**

In entering into contracts under this subsection, the Secretary shall give priority to applicants who—

(1) are or will be working in a school or other pre-kindergarten, elementary, or secondary education setting;

(2) have familiarity with evidence-based methods and cultural and linguistic competence health care services; and

(3) demonstrate financial need.

**(e) Authorization of appropriations**

There is authorized to be appropriated \$30,000,000 for each of fiscal years 2010 through

2014 to carry out subsection (c)(1)(A) and \$20,000,000 for each of fiscal years 2010 through 2013 to carry out subsection (c)(1)(B).

(July 1, 1944, ch. 373, title VII, §775, as added Pub. L. 111-148, title V, §5203, Mar. 23, 2010, 124 Stat. 607.)

REFERENCES IN TEXT

The calendar year in which this section is enacted, referred to in subsec. (c)(1)(A)(ii), (B)(iii), probably means the calendar year in which Pub. L. 111-148 was enacted. Such Act was approved Mar. 23, 2010.

PRIOR PROVISIONS

A prior section 295f, act July 1, 1944, ch. 373, title VII, §770, as added Oct. 22, 1965, Pub. L. 89-290, §2(a), 79 Stat. 1052; amended Aug. 16, 1968, Pub. L. 90-490, title I, §111(a), 82 Stat. 774; Nov. 18, 1971, Pub. L. 92-157, title I, §104(a), 85 Stat. 437; Oct. 12, 1976, Pub. L. 94-484, title I, §101(k), title V, §501(a)-(c), 90 Stat. 2245, 2290, 2291; Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(a)(1), 95 Stat. 927; Oct. 22, 1985, Pub. L. 99-129, title II, §211(a)(1), 99 Stat. 537; Nov. 4, 1988, Pub. L. 100-607, title VI, §606(a), 102 Stat. 3127, related to capitation grants for schools of public health, prior to repeal by act July 1, 1944, ch. 373, title VII, §773, as added Nov. 4, 1988, Pub. L. 100-607, title VI, §606(b), 102 Stat. 3127, effective Oct. 1, 1990.

A prior section 775 of act July 1, 1944, was renumbered section 772 by Pub. L. 94-484, and was classified to section 295f-2 of this title prior to repeal by act July 1, 1944, ch. 373, title VII, §773, as added Nov. 4, 1988, Pub. L. 100-607, title VI, §606(b), 102 Stat. 3127.

**§ 295f-1. Public Health Workforce Loan Repayment Program**

**(a) Establishment**

The Secretary shall establish the Public Health Workforce Loan Repayment Program (referred to in this section as the “Program”) to assure an adequate supply of public health professionals to eliminate critical public health workforce shortages in Federal, State, local, and tribal public health agencies.

**(b) Eligibility**

To be eligible to participate in the Program, an individual shall—

(1)(A) be accepted for enrollment, or be enrolled, as a student in an accredited academic educational institution in a State or territory in the final year of a course of study or program leading to a public health or health professions degree or certificate; and have accepted employment with a Federal, State, local, or tribal public health agency, or a related training fellowship, as recognized by the Secretary, to commence upon graduation;

(B)(i) have graduated, during the preceding 10-year period, from an accredited educational institution in a State or territory and received a public health or health professions degree or certificate; and

(ii) be employed by, or have accepted employment with, a Federal, State, local, or tribal public health agency or a related training fellowship, as recognized by the Secretary;

(2) be a United States citizen; and

(3)(A) submit an application to the Secretary to participate in the Program;

(B) execute a written contract as required in subsection (c); and

(4) not have received, for the same service, a reduction of loan obligations under section

1087e(m), 1078-10, 1078-11, 1078-12, or 1087j of title 20.

**(c) Contract**

The written contract (referred to in this section as the “written contract”) between the Secretary and an individual shall contain—

(1) an agreement on the part of the Secretary that the Secretary will repay on behalf of the individual loans incurred by the individual in the pursuit of the relevant degree or certificate in accordance with the terms of the contract;

(2) an agreement on the part of the individual that the individual will serve in the full-time employment of a Federal, State, local, or tribal public health agency or a related fellowship program in a position related to the course of study or program for which the contract was awarded for a period of time (referred to in this section as the “period of obligated service”) equal to the greater of—

(A) 3 years; or

(B) such longer period of time as determined appropriate by the Secretary and the individual;

(3) an agreement, as appropriate, on the part of the individual to relocate to a priority service area (as determined by the Secretary) in exchange for an additional loan repayment incentive amount to be determined by the Secretary;

(4) a provision that any financial obligation of the United States arising out of a contract entered into under this section and any obligation of the individual that is conditioned thereon, is contingent on funds being appropriated for loan repayments under this section;

(5) a statement of the damages to which the United States is entitled,<sup>1</sup> under this section for the individual’s breach of the contract; and

(6) such other statements of the rights and liabilities of the Secretary and of the individual, not inconsistent with this section.

**(d) Payments**

**(1) In general**

A loan repayment provided for an individual under a written contract under the Program shall consist of payment, in accordance with paragraph (2), on behalf of the individual of the principal, interest, and related expenses on government and commercial loans received by the individual regarding the undergraduate or graduate education of the individual (or both), which loans were made for tuition expenses incurred by the individual.

**(2) Payments for years served**

For each year of obligated service that an individual contracts to serve under subsection (c) the Secretary may pay up to \$35,000 on behalf of the individual for loans described in paragraph (1). With respect to participants under the Program whose total eligible loans are less than \$105,000, the Secretary shall pay an amount that does not exceed  $\frac{1}{3}$  of the eligible loan balance for each year of obligated service of the individual.

**(3) Tax liability**

For the purpose of providing reimbursements for tax liability resulting from payments under paragraph (2) on behalf of an individual, the Secretary shall, in addition to such payments, make payments to the individual in an amount not to exceed 39 percent of the total amount of loan repayments made for the taxable year involved.

**(e) Postponing obligated service**

With respect to an individual receiving a degree or certificate from a health professions or other related school, the date of the initiation of the period of obligated service may be postponed as approved by the Secretary.

**(f) Breach of contract**

An individual who fails to comply with the contract entered into under subsection (c) shall be subject to the same financial penalties as provided for under section 254o of this title for breaches of loan repayment contracts under section 254f-1 of this title.

**(g) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$195,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 through 2015.

(July 1, 1944, ch. 373, title VII, §776, as added Pub. L. 111-148, title V, §5204, Mar. 23, 2010, 124 Stat. 609.)

PRIOR PROVISIONS

A prior section 295f-1, act July 1, 1944, ch. 373, title VII, §771, as added Oct. 12, 1976, Pub. L. 94-484, title V, §502, 90 Stat. 2293; amended Aug. 1, 1977, Pub. L. 95-83, title III, §307(i), 91 Stat. 391; Dec. 19, 1977, Pub. L. 95-215, §§1(a), 2, 91 Stat. 1503, 1504; Nov. 9, 1978, Pub. L. 95-623, §§11(g), 12(d), 92 Stat. 3456, 3457; Sept. 29, 1979, Pub. L. 96-76, title II, §207, 93 Stat. 583; Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(a)(2), 95 Stat. 927; Oct. 22, 1985, Pub. L. 99-129, title II, §211(b), 99 Stat. 539, related to eligibility for capitation grants, prior to repeal by act July 1, 1944, ch. 373, title VII, §773, as added Nov. 4, 1988, Pub. L. 100-607, title VI, §606(b), 102 Stat. 3127, effective Oct. 1, 1990.

Another prior section 295f-1, act July 1, 1944, ch. 373, title VII, §771, as added Oct. 22, 1965, Pub. L. 89-290, §2(a), 79 Stat. 1052; amended Aug. 16, 1968, Pub. L. 90-490, title I, §111(a), 82 Stat. 775; Nov. 2, 1970, Pub. L. 91-519, title I, §101(a), 84 Stat. 1343; Nov. 18, 1971, Pub. L. 92-157, title I, §104(a), 85 Stat. 443; Oct. 12, 1976, Pub. L. 94-484, title I, §101(l), 90 Stat. 2245, authorized start-up assistance, prior to repeal by Pub. L. 94-484, title V, §502, Oct. 12, 1976, 90 Stat. 2293, effective with respect to fiscal years beginning after Sept. 30, 1977.

A prior section 776 of act July 1, 1944, was renumbered section 2692 and is classified to section 300ff-111 of this title.

Another prior section 776 of act July 1, 1944, was renumbered section 789, and was classified to section 295g-9 of this title prior to repeal by Pub. L. 99-129, title II, §220(g), Oct. 22, 1985, 99 Stat. 544.

**§ 295f-2. Training for mid-career public and allied health professionals**

**(a) In general**

The Secretary may make grants to, or enter into contracts with, any eligible entity to award scholarships to eligible individuals to enroll in degree or professional training programs for the purpose of enabling mid-career professionals in

<sup>1</sup> So in original. The comma probably should not appear.