

### § 1616e. Nursing program

#### (a) Grants

The Secretary, acting through the Service, shall provide grants to—

- (1) public or private schools of nursing,
- (2) tribally controlled community colleges and tribally controlled postsecondary vocational institutions (as defined in section 2397h(2)<sup>1</sup> of title 20), and
- (3) nurse midwife programs, and nurse practitioner programs, that are provided by any public or private institution,

for the purpose of increasing the number of nurses, nurse midwives, and nurse practitioners who deliver health care services to Indians.

#### (b) Purposes

Grants provided under subsection (a) of this section may be used to—

- (1) recruit individuals for programs which train individuals to be nurses, nurse midwives, or nurse practitioners,
- (2) provide scholarships to individuals enrolled in such programs that may pay the tuition charged for such program and other expenses incurred in connection with such program, including books, fees, room and board, and stipends for living expenses,
- (3) provide a program that encourages nurses, nurse midwives, and nurse practitioners to provide, or continue to provide, health care services to Indians,
- (4) provide a program that increases the skills of, and provides continuing education to, nurses, nurse midwives, and nurse practitioners, or
- (5) provide any program that is designed to achieve the purpose described in subsection (a) of this section.

#### (c) Application

Each application for a grant under subsection (a) of this section shall include such information as the Secretary may require to establish the connection between the program of the applicant and a health care facility that primarily serves Indians.

#### (d) Preference

In providing grants under subsection (a) of this section, the Secretary shall extend a preference to—

- (1) programs that provide a preference to Indians,
- (2) programs that train nurse midwives or nurse practitioners,
- (3) programs that are interdisciplinary, and
- (4) programs that are conducted in cooperation with a center for gifted and talented Indian students established under section 2624(a)<sup>1</sup> of this title.

#### (e) Quentin N. Burdick American Indians Into Nursing Program

The Secretary shall provide one of the grants authorized under subsection (a) of this section to establish and maintain a program at the University of North Dakota to be known as the “Quentin N. Burdick American Indians Into

Nursing Program”. Such program shall, to the maximum extent feasible, coordinate with the Quentin N. Burdick Indian Health Programs established under section 1616g(b) of this title and the Quentin N. Burdick American Indians Into Psychology Program established under section 1621p(b) of this title.

#### (f) Service obligation

The active duty service obligation prescribed under section 254m of title 42 shall be met by each individual who receives training or assistance described in paragraph (1) or (2) of subsection (b) of this section that is funded by a grant provided under subsection (a) of this section. Such obligation shall be met by service—

- (A) in the Indian Health Service;
- (B) in a program conducted under a contract entered into under the Indian Self-Determination Act [25 U.S.C. 450f et seq.];
- (C) in a program assisted under subchapter IV of this chapter; or
- (D) in the private practice of nursing if, as determined by the Secretary, in accordance with guidelines promulgated by the Secretary, such practice is situated in a physician or other health professional shortage area and addresses the health care needs of a substantial number of Indians.

#### (g) Authorization of appropriations

Beginning with fiscal year 1993, of the amounts appropriated under the authority of this subchapter for each fiscal year to be used to carry out this section, not less than \$1,000,000 shall be used to provide grants under subsection (a) of this section for the training of nurse midwives, nurse anesthetists, and nurse practitioners.

(Pub. L. 94-437, title I, §112, as added Pub. L. 100-713, title I, §108, Nov. 23, 1988, 102 Stat. 4795; amended Pub. L. 102-573, title I, §§104(b), (c), 114(a), Oct. 29, 1992, 106 Stat. 4533, 4543.)

#### REFERENCES IN TEXT

Section 2397h of title 20, referred to in subsec. (a)(2), was omitted in the general amendment of chapter 44 (§2301 et seq.) of Title 20, Education, by Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3076.

Section 2624 of this title, referred to in subsec. (d)(4), was repealed by Pub. L. 103-382, title III, §367, Oct. 20, 1994, 108 Stat. 3976. See section 7454 of Title 20, Education.

The Indian Self-Determination Act, referred to in subsec. (f)(B), is title I of Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2206, as amended, which is classified principally to part A (§450f et seq.) of subchapter II of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 450 of this title and Tables.

#### AMENDMENTS

1992—Subsec. (a)(2). Pub. L. 102-573, §114(a), inserted “and tribally controlled postsecondary vocational institutions (as defined in section 2397h(2) of title 20)” after “community colleges”.

Subsecs. (e), (f). Pub. L. 102-573, §104(b), added subsec. (e) and redesignated former subsec. (e) as (f). Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 102-573, §104(c), amended subsec. (g) generally. Prior to amendment, subsec. (g) read as follows:

“(1) There are authorized to be appropriated for each of the fiscal years 1990, 1991, and 1992, \$5,000,000 for the purpose of carrying out the provisions of this section.

<sup>1</sup> See References in Text note below.

“(2) Of the amounts appropriated under the authority of paragraph (1) for each fiscal year, the Secretary shall use at least \$1,000,000 to provide grants under subsection (a) of this section for the training of nurse midwives.”

Pub. L. 102-573, §104(b)(1), redesignated subsec. (f) as (g).

### § 1616e-1. Nursing school clinics

#### (a) Grants

In addition to the authority of the Secretary under section 1616e(a)(1) of this title, the Secretary, acting through the Service, is authorized to provide grants to public or private schools of nursing for the purpose of establishing, developing, operating, and administering clinics to address the health care needs of Indians, and to provide primary health care services to Indians who reside on or within 50 miles of Indian country, as defined in section 1151 of title 18.

#### (b) Purposes

Grants provided under subsection (a) of this section may be used to—

(1) establish clinics, to be run and staffed by the faculty and students of a grantee school, to provide primary care services in areas in or within 50 miles of Indian country (as defined in section 1151 of title 18);

(2) provide clinical training, program development, faculty enhancement, and student scholarships in a manner that would benefit such clinics; and

(3) carry out any other activities determined appropriate by the Secretary.

#### (c) Amount and conditions

The Secretary may award grants under this section in such amounts and subject to such conditions as the Secretary deems appropriate.

#### (d) Design

The clinics established under this section shall be designed to provide nursing students with a structured clinical experience that is similar in nature to that provided by residency training programs for physicians.

#### (e) Regulations

The Secretary shall prescribe such regulations as may be necessary to carry out the provisions of this section.

#### (f) Authorization to use amounts

Out of amounts appropriated to carry out this subchapter for each of the fiscal years 1993 through 2000 not more than \$5,000,000 may be used to carry out this section.

(Pub. L. 94-437, title I, §112A, as added Pub. L. 102-573, title I, §104(f), Oct. 29, 1992, 106 Stat. 4534.)

### § 1616f. Tribal culture and history

#### (a) Program established

The Secretary, acting through the Service, shall establish a program under which appropriate employees of the Service who serve particular Indian tribes shall receive educational instruction in the history and culture of such tribes and in the history of the Service.

#### (b) Tribally controlled institutions

To the extent feasible, the program established under subsection (a) of this section shall—

(1) be carried out through tribally controlled colleges or universities (within the meaning of section 1801(a)(4) of this title) and tribally controlled postsecondary vocational institutions (as defined in section 2397h(2)<sup>1</sup> of title 20),

(2) be developed in consultation with the affected tribal government, and

(3) include instruction in Native American studies.

(Pub. L. 94-437, title I, §113, as added Pub. L. 100-713, title I, §109, Nov. 23, 1988, 102 Stat. 4796; amended Pub. L. 102-573, title I, §§114(b), 117(b)(5), Oct. 29, 1992, 106 Stat. 4543, 4544; Pub. L. 105-244, title IX, §901(d), Oct. 7, 1998, 112 Stat. 1828; Pub. L. 110-315, title IX, §941(k)(2)(I)(i), Aug. 14, 2008, 122 Stat. 3467.)

#### REFERENCES IN TEXT

Section 2397h of title 20, referred to in subsec. (b)(1), was omitted in the general amendment of chapter 44 (§2301 et seq.) of Title 20, Education, by Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3076.

#### AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-315 substituted “tribally controlled colleges or universities (within the meaning of section 1801(a)(4) of this title)” for “tribally-controlled community colleges (within the meaning of section 1801(4) of this title)”.

1998—Subsec. (b)(1). Pub. L. 105-244 made technical amendment to reference in original act which appears in text as reference to section 1801(4) of this title.

1992—Subsec. (b)(1). Pub. L. 102-573, §114(b), inserted before comma at end “and tribally controlled postsecondary vocational institutions (as defined in section 2397h(2) of title 20)”.

Subsec. (c). Pub. L. 102-573, §117(b)(5), struck out subsec. (c) which authorized appropriations for fiscal years 1990 to 1992.

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

### § 1616g. INMED program

#### (a) Grants

The Secretary is authorized to provide grants to at least 3 colleges and universities for the purpose of maintaining and expanding the Native American health careers recruitment program known as the “Indians into Medicine Program” (hereinafter in this section referred to as “INMED”) as a means of encouraging Indians to enter the health professions.

#### (b) University of North Dakota

The Secretary shall provide one of the grants authorized under subsection (a) of this section to maintain the INMED program at the University of North Dakota, to be known as the “Quentin N. Burdick Indian Health Programs”, unless the Secretary makes a determination, based upon program reviews, that the program is not meeting the purposes of this section. Such program shall, to the maximum extent feasible, coordinate with the Quentin N. Burdick American Indians Into Psychology Program established under section 1621p(b) of this title and the Quentin N. Burdick American Indians Into Nurs-

<sup>1</sup> See References in Text note below.