

90 Stat. 2318; amended Nov. 9, 1978, Pub. L. 95-623, §12(f), 92 Stat. 3457; Sept. 29, 1979, Pub. L. 96-76, title II, §205, 93 Stat. 583; Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2744(a)(1), (b)-(f), 95 Stat. 923, 924; Oct. 22, 1985, Pub. L. 99-129, title I, §109, title II, §217, 99 Stat. 524, 541; Nov. 14, 1986, Pub. L. 99-660, title VI, §601, 100 Stat. 3797; Dec. 1, 1987, Pub. L. 100-177, title IV, §401, 101 Stat. 1007; Nov. 4, 1988, Pub. L. 100-607, title VI, §§613(a), 628(11), 629(b)(2), 102 Stat. 3133, 3146; Aug. 16, 1989, Pub. L. 101-93, §5(o)(2), (3), 103 Stat. 614; July 23, 1992, Pub. L. 102-325, title XV, §1559, 106 Stat. 841, related to grants and contracts for special projects.

Another prior section 295g-8, act July 1, 1944, ch. 373, title VII, §788A, as added Aug. 18, 1937, Pub. L. 100-97, §3, 101 Stat. 713, which related to grants for minority education, was renumbered section 782 of act July 1, 1944, by Pub. L. 100-607 and transferred to section 295g-2 of this title.

A prior section 295g-8a, act July 1, 1944, ch. 373, title VII, §788A, as added Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2745, 95 Stat. 925, authorized Secretary to make grants or enter into contracts with schools in serious financial distress to assist their operations, under certain terms and conditions, prior to repeal by Pub. L. 99-129, title II, §220(f)(1), Oct. 22, 1985, 99 Stat. 544.

Prior sections 295g-8b to 295g-10 were omitted in the general amendment of this subchapter by Pub. L. 102-408.

Section 295g-8b, act July 1, 1944, ch. 373, title VII, §788A, formerly §788B, as added Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2745, 95 Stat. 926; amended Oct. 22, 1985, Pub. L. 99-129, title I, §110, title II, §§218, 220(f)(2)-(4), 99 Stat. 524, 543, 544; Nov. 4, 1988, Pub. L. 100-607, title VI, §§622, 629(b)(2), 102 Stat. 3141, 3146; Nov. 18, 1988, Pub. L. 100-690, title II, §2615(g), 102 Stat. 4239; renumbered §788A and amended Aug. 16, 1989, Pub. L. 101-93, §5(k), (o)(4), 103 Stat. 613, 614, related to training with respect to acquired immune deficiency syndrome. See section 300ff-111 of this title.

Section 295g-9, act July 1, 1944, ch. 373, title VII, §789, as added and amended Nov. 4, 1988, Pub. L. 100-607, title VI, §§615(a), 629(b)(1), 102 Stat. 3136, 3146; Aug. 16, 1989, Pub. L. 101-93, §5(o)(3), 103 Stat. 614, related to geriatric education centers and geriatric training.

Another prior section 295g-9, act July 1, 1944, ch. 373, title VII, §789, formerly §776, as added Nov. 16, 1973, Pub. L. 93-154, §3(a), 87 Stat. 604; renumbered §789, Oct. 12, 1976, Pub. L. 94-484, title VIII, §801(b), 90 Stat. 2322; amended Oct. 21, 1976, Pub. L. 94-573, §12, 90 Stat. 2717; July 10, 1979, Pub. L. 96-32, §7(h), 93 Stat. 84; Aug. 1, 1977, Pub. L. 95-83, title III, §307(k), 91 Stat. 392; Dec. 12, 1979, Pub. L. 96-142, title I, §102, 93 Stat. 1067, authorized Secretary to make grants and enter into contracts for training in emergency medical services, set forth eligibility requirements and amounts, directed Secretary to use a uniform funding cycle, and authorized appropriations for those grants and contracts, prior to repeal by Pub. L. 99-129, title II, §220(g), Oct. 22, 1985, 99 Stat. 544.

Section 295g-10, act July 1, 1944, ch. 373, title VII, §790, as added Oct. 12, 1976, Pub. L. 94-484, title VIII, §801(c), 90 Stat. 2322; amended Nov. 4, 1988, Pub. L. 100-607, title VI, §616(a), (b), 102 Stat. 3138, provided general provisions.

A prior section 295g-10a, Pub. L. 100-607, title VI, §633, Nov. 4, 1988, 102 Stat. 3147, required with respect to the application and award process for certain health personnel training programs the semiannual issuance of solicitations for grant applications and the preliminary review of applications for technical sufficiency, prior to repeal by Pub. L. 102-408, title III, §311, Oct. 13, 1992, 106 Stat. 2091.

A prior section 295g-11, act July 1, 1944, ch. 373, title VII, §790A, as added Nov. 4, 1988, Pub. L. 100-607, title VI, §617, 102 Stat. 3140, related to public health special projects, prior to the general amendment of this subchapter by Pub. L. 102-408.

Another prior section 295g-11, act July 1, 1944, ch. 373, title VII, §785, as added Nov. 18, 1971, Pub. L. 92-157, title I, §106(b)(6), 85 Stat. 453; amended Oct. 12, 1976,

Pub. L. 94-484, title I, §101(q), 90 Stat. 2245, provided scholarship grants for study abroad, prior to repeal by Pub. L. 94-484, title IV, §409(a), Oct. 12, 1976, 90 Stat. 2290, effective Oct. 1, 1976.

Prior sections 295g-21 to 295g-23 were repealed by Pub. L. 94-484, title IV, §409(a), Oct. 12, 1976, 90 Stat. 2290, effective Oct. 1, 1976.

Section 295g-21, act July 1, 1944, ch. 373, title VII, §784, as added Nov. 18, 1971, Pub. L. 92-157, title I, §106(c), 85 Stat. 455, provided scholarship grants in relation to physician shortage area scholarship program.

Section 295g-22, act July 1, 1944, ch. 373, title VII, §785, as added Nov. 18, 1971, Pub. L. 92-157, title I, §106(c), 85 Stat. 457, related to administration of and contractual arrangements for implementation of the physician shortage area scholarship program.

Section 295g-23, act July 1, 1944, ch. 373, title VII, §786, as added Nov. 18, 1971, Pub. L. 92-157, title I, §106(c), 85 Stat. 457; amended Apr. 22, 1976, Pub. L. 94-278, title XI, §1104, 90 Stat. 416; Oct. 12, 1976, Pub. L. 94-484, title I, §101(r), 90 Stat. 2246, authorized appropriations for physician shortage area scholarships in amount of \$2,500,000; \$3,000,000; \$3,500,000; and \$2,000,000 for fiscal years ending June 30, 1972, through 1976, and for fiscal years ending Sept. 30, 1977, and thereafter such sums necessary to continue making grants to students who prior to July 1, 1976, received grants and were eligible for grants during the succeeding fiscal year.

PART F—SUBSTANCE USE DISORDER TREATMENT WORKFORCE

CODIFICATION

A prior part F, consisting of sections 295j to 295p, was redesignated part G of this subchapter.

§ 295h. Loan repayment program for substance use disorder treatment workforce

(a) In general

The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall carry out a program under which—

(1) the Secretary enters into agreements with individuals to make payments in accordance with subsection (b) on the principal of and interest on any eligible loan; and

(2) the individuals each agree to the requirements of service in substance use disorder treatment employment, as described in subsection (d).

(b) Payments

For each year of obligated service by an individual pursuant to an agreement under subsection (a), the Secretary shall make a payment to such individual as follows:

(1) Service in a shortage area

The Secretary shall pay—

(A) for each year of obligated service by an individual pursuant to an agreement under subsection (a), $\frac{1}{6}$ of the principal of and interest on each eligible loan of the individual which is outstanding on the date the individual began service pursuant to the agreement; and

(B) for completion of the sixth and final year of such service, the remainder of such principal and interest.

(2) Maximum amount

The total amount of payments under this section to any individual shall not exceed \$250,000.

(c) Eligible loans

The loans eligible for repayment under this section are each of the following:

- (1) Any loan for education or training for a substance use disorder treatment employment.
- (2) Any loan under part E of subchapter VI (relating to nursing student loans).
- (3) Any Federal Direct Stafford Loan, Federal Direct PLUS Loan, Federal Direct Unsubsidized Stafford Loan, or Federal Direct Consolidation Loan (as such terms are used in section 455 of the Higher Education Act of 1965 [20 U.S.C. 1087e]).
- (4) Any Federal Perkins Loan under part E of title I¹ of the Higher Education Act of 1965.
- (5) Any other Federal loan as determined appropriate by the Secretary.

(d) Requirements of service

Any individual receiving payments under this program as required by an agreement under subsection (a) shall agree to an annual commitment to full-time employment, with no more than 1 year passing between any 2 years of covered employment, in substance use disorder treatment employment in the United States in—

- (1) a Mental Health Professional Shortage Area, as designated under section 254e of this title; or
- (2) a county (or a municipality, if not contained within any county) where the mean drug overdose death rate per 100,000 people over the past 3 years for which official data is available from the State, is higher than the most recent available national average overdose death rate per 100,000 people, as reported by the Centers for Disease Control and Prevention.

(e) Ineligibility for double benefits

No borrower may, for the same service, receive a reduction of loan obligations or a loan repayment under both—

- (1) this section; and
- (2) any Federally supported loan forgiveness program, including under section 254f-1, 254q-1, or 297n of this title, or section 428J, 428L, 455(m), or 460 of the Higher Education Act of 1965 [20 U.S.C. 1078-10, 1078-12, 1087e(m), 1087j].

(f) Breach**(1) Liquidated damages formula**

The Secretary may establish a liquidated damages formula to be used in the event of a breach of an agreement entered into under subsection (a).

(2) Limitation

The failure by an individual to complete the full period of service obligated pursuant to such an agreement, taken alone, shall not constitute a breach of the agreement, so long as the individual completed in good faith the years of service for which payments were made to the individual under this section.

(g) Additional criteria

The Secretary—

(1) may establish such criteria and rules to carry out this section as the Secretary determines are needed and in addition to the criteria and rules specified in this section; and

(2) shall give notice to the committees specified in subsection (h) of any criteria and rules so established.

(h) Report to Congress

Not later than 5 years after October 24, 2018, and every other year thereafter, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on—

- (1) the number and location of borrowers who have qualified for loan repayments under this section; and
- (2) the impact of this section on the availability of substance use disorder treatment employees nationally and in shortage areas and counties described in subsection (d).

(i) Definition

In this section:

(1) The terms “Indian tribe” and “tribal organization” have the meanings given those terms in section 5304 of title 25.

(2) The term “municipality” means a city, town, or other public body created by or pursuant to State law, or an Indian tribe.

(3) The term “substance use disorder treatment employment” means full-time employment (including a fellowship)—

(A) where the primary intent and function of the position is the direct treatment or recovery support of patients with or in recovery from a substance use disorder, including master’s level social workers, psychologists, counselors, marriage and family therapists, psychiatric mental health practitioners, occupational therapists, psychology doctoral interns, and behavioral health paraprofessionals and physicians, physician assistants, and nurses, who are licensed or certified in accordance with applicable State and Federal laws; and

(B) which is located at a substance use disorder treatment program, private physician practice, hospital or health system-affiliated inpatient treatment center or outpatient clinic (including an academic medical center-affiliated treatment program), correctional facility or program, youth detention center or program, inpatient psychiatric facility, crisis stabilization unit, community health center, community mental health or other specialty community behavioral health center, recovery center, school, community-based organization, telehealth platform, migrant health center, health program or facility operated by an Indian tribe or tribal organization, Federal medical facility, or any other facility as determined appropriate for purposes of this section by the Secretary.

(j) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2019 through 2023.

¹ So in original. Probably should be “part E of title IV of the Higher Education Act of 1965”.

(July 1, 1944, ch. 373, title VII, §781, as added Pub. L. 115-271, title VII, §7071(2), Oct. 24, 2018, 132 Stat. 4028.)

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (c)(4), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Part E of title IV of the Act, which relates to Federal Perkins Loans, is classified to part E (§1087aa et seq.) of subchapter IV of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see section 1 of Pub. L. 89-329, set out as a Short Title note under section 1001 of Title 20 and Tables.

PRIOR PROVISIONS

A prior section 295h, act July 1, 1944, ch. 373, title VII, §791, as added Oct. 12, 1976, Pub. L. 94-484, title VII, §701(a), 90 Stat. 2303; amended Oct. 17, 1979, Pub. L. 96-88, title III, §301(a)(1), title V, §507, 93 Stat. 677, 692; Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(b)(1), 95 Stat. 927; Jan. 4, 1983, Pub. L. 97-414, §8(k)(2), 96 Stat. 2061; Oct. 22, 1985, Pub. L. 99-129, title I, §111, title II, §219, 99 Stat. 524, 543; Nov. 4, 1988, Pub. L. 100-607, title VI, §618, 102 Stat. 3140; Nov. 18, 1988, Pub. L. 100-690, title II, §2615(f), 102 Stat. 4239; Aug. 16, 1989, Pub. L. 101-93, §5(j), 103 Stat. 613, related to grants for graduate programs in health administration, prior to the general amendment of this subchapter by Pub. L. 102-408.

Another prior section 295h, act July 1, 1944, ch. 373, title VII, §791, as added Nov. 3, 1966, Pub. L. 89-751, §2, 80 Stat. 1222; amended Aug. 16, 1968, Pub. L. 90-490, title III, §301(a)(1), 82 Stat. 788; Nov. 2, 1970, Pub. L. 91-519, title II, §201, 84 Stat. 1344, provided for grants for construction of teaching facilities of allied health professions personnel, prior to the general amendment of this part by Pub. L. 94-484.

A prior section 295h-1, act July 1, 1944, ch. 373, title VII, §792, as added Oct. 12, 1976, Pub. L. 94-484, title VII, §701(a), 90 Stat. 2304; amended Nov. 10, 1978, Pub. L. 95-626, title I, §121, 92 Stat. 3570; Sept. 29, 1979, Pub. L. 96-76, title II, §206(b), 93 Stat. 583, related to special projects for accredited schools of public health and graduate programs in health administration, prior to repeal by Pub. L. 97-35, title XXVII, §2746(c), Aug. 13, 1981, 95 Stat. 927.

Another prior section 295h-1, act July 1, 1944, ch. 373, title VII, §792, as added Nov. 3, 1966, Pub. L. 89-751, §2, 80 Stat. 1226; amended Aug. 16, 1968, Pub. L. 90-490, title III, §301(a)(2), 82 Stat. 788; Nov. 2, 1970, Pub. L. 91-519, title II, §202(a), (b), 84 Stat. 1344, 1345; June 18, 1973, Pub. L. 93-45, title I, §109(a), (b), 87 Stat. 93; Oct. 12, 1976, Pub. L. 94-484, title I, §101(s)(1), (2), 90 Stat. 2246, provided for grants to improve quality of training centers for allied health professions, prior to the general amendment of this part by Pub. L. 94-484.

Prior sections 295h-1a to 295h-2 were omitted in the general amendment of this subchapter by Pub. L. 102-408.

Section 295h-1a, act July 1, 1944, ch. 373, title VII, §791A, formerly §749, as added Oct. 12, 1976, Pub. L. 94-484, title IV, §408(a), 90 Stat. 2280; amended Aug. 1, 1977, Pub. L. 95-83, title III, §307(f), 91 Stat. 391; Oct. 17, 1979, Pub. L. 96-88, title III, §301(a)(1), title V, §507, 93 Stat. 677, 692; renumbered §791A and amended Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(b)(2), 95 Stat. 927; Jan. 4, 1983, Pub. L. 97-414, §8(k)(1), 96 Stat. 2061; Oct. 22, 1985, Pub. L. 99-129, title I, §112, 99 Stat. 525; Nov. 4, 1988, Pub. L. 100-607, title VI, §619, 102 Stat. 3140, related to traineeships for students in other graduate programs.

Section 295h-1b, act July 1, 1944, ch. 373, title VII, §792; formerly §748, as added Oct. 12, 1976, Pub. L. 94-484, title IV, §408(a), 90 Stat. 2279; amended Aug. 1, 1977, Pub. L. 95-83, title III, §307(f), 91 Stat. 391; Dec. 19, 1977, Pub. L. 95-215, §3, 91 Stat. 1504; Sept. 29, 1979, Pub. L. 96-76, title II, §206(a), 93 Stat. 583; renumbered §792 and amended Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(d), 95 Stat. 927; Oct. 22, 1985, Pub. L. 99-129, title I, §113, 99 Stat. 525; Nov. 4, 1988, Pub. L. 100-607, title VI,

§621, 102 Stat. 3141, related to traineeships for students in schools of public health.

Section 295h-1c, act July 1, 1944, ch. 373, title VII, §793, as added Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(f), 95 Stat. 928; amended Oct. 22, 1985, Pub. L. 99-129, title I, §114, 99 Stat. 525; Nov. 4, 1988, Pub. L. 100-607, title VI, §629(b)(2), 102 Stat. 3146, related to training in preventive medicine.

Section 295h-2, act July 1, 1944, ch. 373, title VII, §794, formerly §793, as added Oct. 12, 1976, Pub. L. 94-484, title VII, §701(a), 90 Stat. 2305; amended S. Res. No. 4, Feb. 4, 1977; Nov. 9, 1978, Pub. L. 95-623, §12(g), 92 Stat. 3457; S. Res. No. 30, Mar. 7, 1979; H. Res. No. 549, Mar. 25, 1980; renumbered §794, Aug. 13, 1981, Pub. L. 97-35, title XXVII, §2746(f), 95 Stat. 928, related to statistics and annual report to Congress.

Another prior section 295h-2, act July 1, 1944, ch. 373, title VII, §793, as added Nov. 3, 1966, Pub. L. 89-751, §2, 80 Stat. 1228; amended Aug. 16, 1968, Pub. L. 90-490, title III, §301(a)(3), 82 Stat. 788; Nov. 2, 1970, Pub. L. 91-519, title II, §203, 84 Stat. 1436; June 18, 1973, Pub. L. 93-45, title I, §109(c), 87 Stat. 93; Oct. 12, 1976, Pub. L. 94-484, title I, §101(s)(3), 90 Stat. 2246, provided traineeships for advanced training of allied health professions personnel, including authorization of appropriations, prior to the general amendment of this part by Pub. L. 94-484.

A prior section 295h-3, act July 1, 1944, ch. 373, title VII, §794, as added Nov. 3, 1966, Pub. L. 89-751, §2, 80 Stat. 1228; amended Aug. 16, 1968, Pub. L. 90-490, title III, §301(a)(4), (b), 82 Stat. 788, authorized appropriations for grants to public or nonprofit private agencies, institutions, and organizations for projects to develop, demonstrate, or evaluate curriculums and methods for the training of health technologists, prior to repeal by Pub. L. 91-519, title II, §202(d), Nov. 2, 1970, 84 Stat. 1345, effective with respect to the fiscal year beginning July 1, 1970.

Prior sections 295h-3a to 295h-3d were omitted in the general amendment of this part by Pub. L. 94-484.

Section 295h-3a, act July 1, 1944, ch. 373, title VII, §794A, as added Nov. 2, 1970, Pub. L. 91-519, title II, §204, 84 Stat. 1346; amended June 18, 1973, Pub. L. 93-45, title I, §109(d), 87 Stat. 93; Oct. 12, 1976, Pub. L. 94-484, title I, §101(s)(4), 90 Stat. 2246, provided for grants and contracts to encourage full utilization of educational talent for allied health professions and authorizing appropriations.

Section 295h-3b, act July 1, 1944, ch. 373, title VII, §794B, as added Nov. 2, 1970, Pub. L. 91-519, title II, §204, 84 Stat. 1346, provided for scholarship grants for training in allied health professions.

Section 295h-3c, act July 1, 1944, ch. 373, title VII, §794C, as added Nov. 2, 1970, Pub. L. 91-519, title II, §204, 84 Stat. 1347, provided for work-study programs in training in allied health professions.

Section 295h-3d, act July 1, 1944, ch. 373, title VII, §794D, as added Nov. 2, 1970, Pub. L. 91-519, title II, §204, 84 Stat. 1349; amended Nov. 18, 1971, Pub. L. 92-157, title III, §301(e), 85 Stat. 464, provided for loans for students of allied health professions.

Prior sections 295h-4 to 295h-7 were omitted in the general amendment of this subchapter by Pub. L. 102-408.

Section 295h-4, act July 1, 1944, ch. 373, title VII, §795, as added Oct. 12, 1976, Pub. L. 94-484, title VII, §701(a), 90 Stat. 2306; amended Oct. 17, 1979, Pub. L. 96-88, title III, §301(a)(1), title V, §507, 93 Stat. 677, 692, defined "allied health personnel", "training center for allied health professions", and "nonprofit". See section 295p of this title.

Another prior section 295h-4, act July 1, 1944, ch. 373, title VII, §795, as added Nov. 3, 1966, Pub. L. 89-751, §2, 80 Stat. 1228; amended Dec. 5, 1967, Pub. L. 90-174, §12(e), 81 Stat. 542; Nov. 2, 1970, Pub. L. 91-519, title II, §202(c), 84 Stat. 1344; Nov. 18, 1971, Pub. L. 92-157, title III, §301(f), 85 Stat. 464, defined "training center for allied health professions"; "full-time student"; "nonprofit"; "construction" and "cost of construction"; and "affiliated hospital", prior to the general amendment of this part by Pub. L. 94-484.

Section 295h-5, act July 1, 1944, ch. 373, title VII, § 796, as added Oct. 12, 1976, Pub. L. 94-484, title VII, § 701(a), 90 Stat. 2307; amended Aug. 1, 1977, Pub. L. 95-83, title III, § 307(l), (m), 91 Stat. 392; Nov. 4, 1988, Pub. L. 100-607, title VI, § 624, 102 Stat. 3143; Nov. 18, 1988, Pub. L. 100-690, title II, § 2615(f) [(h)], 102 Stat. 4240, related to project grants and contracts with eligible entities to improve the effectiveness of allied health administration and practitioners. See section 294e of this title.

Another prior section 295h-5, act July 1, 1944, ch. 373, title VII, § 796, as added Nov. 3, 1966, Pub. L. 89-751, § 2, 80 Stat. 1230, provided for keeping of records and audits in relation to training in allied health professions, prior to the general amendment of this part by Pub. L. 94-484.

Section 295h-6, act July 1, 1944, ch. 373, title VII, § 797, as added Oct. 12, 1976, Pub. L. 94-484, title VII, § 701(a), 90 Stat. 2308; amended Nov. 4, 1988, Pub. L. 100-607, title VI, § 625, 102 Stat. 3144, related to traineeships for advanced training of allied health personnel.

Another prior section 295h-6, act July 1, 1944, ch. 373, title VII, § 797, as added Aug. 16, 1968, Pub. L. 90-490, title III, § 301(c), 82 Stat. 788, authorized the use of up to one-half of one per centum of appropriated funds for evaluation of programs covered thereby, prior to repeal by Pub. L. 91-296, title IV, § 401(b)(1)(E), June 30, 1970, 84 Stat. 352, effective with respect to appropriations for fiscal years beginning after June 30, 1970.

Section 295h-7, act July 1, 1944, ch. 373, title VII, § 798, as added Oct. 12, 1976, Pub. L. 94-484, title VII, § 701(a), 90 Stat. 2309, related to educational assistance to disadvantaged individuals in allied health training.

Another prior section 295h-7, act July 1, 1944, ch. 373, title VII, § 798, as added Aug. 16, 1968, Pub. L. 90-490, title III, § 301(d), 82 Stat. 788; amended Nov. 2, 1970, Pub. L. 91-519, title II, § 205, 84 Stat. 1354, directed Secretary to conduct a study of the allied health programs, prior to the general amendment of this part by Pub. L. 94-484.

A prior section 295h-8, act July 1, 1944, ch. 373, title VII, § 799, as added Nov. 2, 1970, Pub. L. 91-519, title II, § 206, 84 Stat. 1354; amended Nov. 18, 1971, Pub. L. 92-157, title I, § 109, 85 Stat. 461, which related to advance funding, was renumbered section 703 of act July 1, 1944, by Pub. L. 94-484 and transferred to section 292c of this title.

A prior section 295h-9, act July 1, 1944, ch. 373, title VII, § 799A, as added Nov. 2, 1970, Pub. L. 91-519, title II, § 207, 84 Stat. 1355, § 704; amended Nov. 18, 1971, Pub. L. 92-157, title I, § 110(2), 85 Stat. 461; July 12, 1974, Pub. L. 93-348, title I, § 105, 88 Stat. 347, which related to sexual discrimination, was renumbered section 704 of act July 1, 1944, by Pub. L. 94-484 and transferred to section 292d of this title.

A prior section 295i, act July 1, 1944, ch. 373, title VII, § 799, as added Apr. 7, 1986, Pub. L. 99-272, title XVII, § 17001, 100 Stat. 357; amended Oct. 25, 1988, Pub. L. 100-527, § 10(4), 102 Stat. 2641; Nov. 4, 1988, Pub. L. 100-607, title VI, §§ 627, 629(b)(1), 102 Stat. 3145, 3146; Aug. 16, 1989, Pub. L. 101-93, § 5(o)(3), 103 Stat. 614; Oct. 9, 1992, Pub. L. 102-405, title III, § 302(e)(1), 106 Stat. 1985, established a Council on Graduate Medical Education, prior to the general amendment of this subchapter by Pub. L. 102-408. See section 294o of this title.

PART G—GENERAL PROVISIONS

CODIFICATION

Pub. L. 115-271, title VII, § 7071(1), Oct. 24, 2018, 132 Stat. 4028, redesignated part F as G.

Pub. L. 105-392, title I, § 106(a)(2)(A), Nov. 13, 1998, 112 Stat. 3557, redesignated part G as F.

§ 295j. Preferences and required information in certain programs

(a) Preferences in making awards

(1) In general

Subject to paragraph (2), in making awards of grants or contracts under any of sections

293k and 294 of this title, the Secretary shall give preference to any qualified applicant that—

(A) has a high rate for placing graduates in practice settings having the principal focus of serving residents of medically underserved communities;

(B) during the 2-year period preceding the fiscal year for which such an award is sought, has achieved a significant increase in the rate of placing graduates in such settings; or

(C) utilizes a longitudinal evaluation (as described in section 294n(d)(2) of this title) and reports data from such system to the national workforce database (as established under section 294n(b)(2)(E) of this title).

(2) Limitation regarding peer review

For purposes of paragraph (1), the Secretary may not give an applicant preference if the proposal of the applicant is ranked at or below the 20th percentile of proposals that have been recommended for approval by peer review groups.

(b) “Graduate” defined

For purposes of this section, the term “graduate” means, unless otherwise specified, an individual who has successfully completed all training and residency requirements necessary for full certification in the health profession selected by the individual.

(c) Exceptions for new programs

(1) In general

To permit new programs to compete equitably for funding under this section, those new programs that meet at least 4 of the criteria described in paragraph (3) shall qualify for a funding preference under this section.

(2) Definition

As used in this subsection, the term “new program” means any program that has graduated less than three classes. Upon graduating at least three classes, a program shall have the capability to provide the information necessary to qualify the program for the general funding preferences described in subsection (a).

(3) Criteria

The criteria referred to in paragraph (1) are the following:

(A) The mission statement of the program identifies a specific purpose of the program as being the preparation of health professionals to serve underserved populations.

(B) The curriculum of the program includes content which will help to prepare practitioners to serve underserved populations.

(C) Substantial clinical training experience is required under the program in medically underserved communities.

(D) A minimum of 20 percent of the clinical faculty of the program spend at least 50 percent of their time providing or supervising care in medically underserved communities.

(E) The entire program or a substantial portion of the program is physically located in a medically underserved community.