

which there has been an initial breach by the health professionals involved during the fiscal year preceding the fiscal year for which the State is applying to receive the grant.

- (B) Subject to paragraph (3), in the case of a State with 1 or more initial breaches for purposes of subparagraph (A), the Secretary shall reduce the amount of a grant under subsection (a) to the State for the fiscal year involved by an amount equal to the sum of the expenditures of Federal funds made regarding the contracts involved and an amount representing interest on the amount of such expenditures, determined with respect to each contract on the basis of the maximum legal rate prevailing for loans made during the time amounts were paid under the contract, as determined by the Treasurer of the United States.
- (3) **WAIVER REGARDING REDUCTION IN GRANT.**—The Secretary may waive the requirement established in paragraph (2)(B) with respect to the initial breach of a contract if the Secretary determines that such breach by the health professional involved was attributable solely to the professional having a serious illness.
- (h) **DEFINITIONS.**—For purposes of this section, the term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, Palau, the Marshall Islands, and the Commonwealth of the Northern Mariana Islands.
- (i) **AUTHORIZATION OF APPROPRIATIONS.**—
  - (1) **IN GENERAL.**—For the purpose of making grants under subsection (a), there are authorized to be appropriated \$12,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2012.
  - (2) **AVAILABILITY.**—Amounts appropriated under paragraph (1) shall remain available until expended.

## **SUBPART V—HEALTHY COMMUNITIES ACCESS PROGRAM**

### **SECTION 340A OF THE PUBLIC HEALTH SERVICE ACT<sup>5</sup>**

#### **42 U.S.C.A. § 256a**

#### **PATIENT NAVIGATOR GRANTS**

- (a) **GRANTS.**—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to eligible entities for the development and operation of demonstration programs to provide patient navigator services to improve health care outcomes. The Secretary shall coordinate with, and ensure the participation of, the Indian Health Service, the National Cancer Institute, the Office of Rural Health Policy, and such other offices and agencies as deemed appropriate by the Secretary, regarding the design and evaluation of the demonstration programs.
- (b) **USE OF FUNDS.** The Secretary shall require each recipient of a grant under this section to use the grant to recruit, assign, train, and employ patient navigators who have direct knowledge of the communities they serve to facilitate the care of individuals, including by performing each of the following duties:
  - (1) Acting as contacts, including by assisting in the coordination of health care services and provider referrals, for individuals who are seeking prevention or early detection services for, or who following a screening or early detection service are found to have a symptom, abnormal finding, or diagnosis of, cancer or other chronic disease.
  - (2) Facilitating the involvement of community organizations in assisting individuals who are at risk for or who have cancer or other chronic diseases to receive better access to high-quality health care services (such as by creating partnerships with patient advocacy groups, charities, health care centers, community hospice centers, other health care providers, or other organizations in the targeted community).
  - (3) Notifying individuals of clinical trials and, on request, facilitating enrollment of eligible individuals in these trials.

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<sup>5</sup> Amended by P.L. 111-148, § 3510.

- (4) Anticipating, identifying, and helping patients to overcome barriers within the health care system to ensure prompt diagnostic and treatment resolution of an abnormal finding of cancer or other chronic disease.
  - (5) Coordinating with the relevant health insurance ombudsman programs to provide information to individuals who are at risk for or who have cancer or other chronic diseases about health coverage, including private insurance, health care savings accounts, and other publicly funded programs (such as Medicare, Medicaid, health programs operated by the Department of Veterans Affairs or the Department of Defense, the State children's health insurance program, and any private or governmental prescription assistance programs).
  - (6) Conducting ongoing outreach to health disparity populations, including the uninsured, rural populations, and other medically underserved populations, in addition to assisting other individuals who are at risk for or who have cancer or other chronic diseases to seek preventative care.
- (c) PROHIBITIONS
- (1) Referral fees. The Secretary shall require each recipient of a grant under this section to prohibit any patient navigator providing services under the grant from accepting any referral fee, kickback, or other thing of value in return for referring an individual to a particular health care provider.
  - (2) Legal fees and costs. The Secretary shall prohibit the use of any grant funds received under this section to pay any fees or costs resulting from any litigation, arbitration, mediation, or other proceeding to resolve a legal dispute.
- (d) GRANT PERIOD
- (1) IN GENERAL. Subject to paragraphs (2) and (3), the Secretary may award grants under this section for periods of not more than 3 years.
  - (2) EXTENSIONS. Subject to paragraph (3), the Secretary may extend the period of a grant under this section. Each such extension shall be for a period of not more than 1 year.
  - (3) LIMITATIONS ON GRANT PERIOD.-In carrying out this section, the Secretary shall ensure that the total period of a grant does not exceed 4 years.
- (e) APPLICATION
- (1) IN GENERAL. To seek a grant under this section, an eligible entity shall submit an application to the Secretary in such form, in such manner, and containing such information as the Secretary may require.
  - (2) CONTENTS. At a minimum, the Secretary shall require each such application to outline how the eligible entity will establish baseline measures and benchmarks that meet the Secretary's requirements to evaluate program outcomes.
  - (3) MINIMUM CORE PROFICIENCIES.-The Secretary shall not award a grant to an entity under this section unless such entity provides assurances that patient navigators recruited, assigned, trained, or employed using grant funds meet minimum core proficiencies, as defined by the entity that submits the application, that are tailored for the main focus or intervention of the navigator involved.
- (f) UNIFORM BASELINE MEASURES. The Secretary shall establish uniform baseline measures in order to properly evaluate the impact of the demonstration projects under this section.
- (g) PREFERENCE. In making grants under this section, the Secretary shall give preference to eligible entities that demonstrate in their applications plans to utilize patient navigator services to overcome significant barriers in order to improve health care outcomes in their respective communities.
- (h) DUPLICATION OF SERVICES. An eligible entity that is receiving Federal funds for activities described in subsection (b) of this section on the date on which the entity submits an application under subsection (e) of this section may not receive a grant under this section unless the entity can demonstrate that amounts received under the grant will be utilized to expand services or provide new services to individuals who would not otherwise be served.
- (i) COORDINATION WITH OTHER PROGRAMS. The Secretary shall ensure coordination of the demonstration grant program under this section with existing authorized programs in order to facilitate access to high-quality health care services.
- (j) STUDY; REPORTS

- (1) **FINAL REPORT BY SECRETARY.** Not later than 6 months after the completion of the demonstration grant program under this section, the Secretary shall conduct a study of the results of the program and submit to the Congress a report on such results that includes the following:
  - (A) An evaluation of the program outcomes, including—
    - (i) quantitative analysis of baseline and benchmark measures; and
    - (ii) aggregate information about the patients served and program activities.
  - (B) Recommendations on whether patient navigator programs could be used to improve patient outcomes in other public health areas.
- (2) **INTERIM REPORTS BY SECRETARY.** The Secretary may provide interim reports to the Congress on the demonstration grant program under this section at such intervals as the Secretary determines to be appropriate.
- (3) **REPORTS BY GRANTEES.** The Secretary may require grant recipients under this section to submit interim and final reports on grant program outcomes.
- (k) **RULE OF CONSTRUCTION.** This section shall not be construed to authorize funding for the delivery of health care services (other than the patient navigator duties listed in subsection (b) of this section).
- (l) **DEFINITIONS.** In this section:
  - (1) The term “eligible entity” means a public or nonprofit private health center (including a Federally qualified health center (as that term is defined in section 1861(aa)(4) of the Social Security Act), a health facility operated by or pursuant to a contract with the Indian Health Service, a hospital, a cancer center, a rural health clinic, an academic health center, or a nonprofit entity that enters into a partnership or coordinates referrals with such a center, clinic, facility, or hospital to provide patient navigator services.
  - (2) The term “health disparity population” means a population that, as determined by the Secretary, has a significant disparity in the overall rate of disease incidence, prevalence, morbidity, mortality, or survival rates as compared to the health status of the general population.
  - (3) The term “patient navigator” means an individual who has completed a training program approved by the Secretary to perform the duties listed in subsection (b) of this section.
- (m) **AUTHORIZATION OF APPROPRIATIONS**
  - (1) **IN GENERAL.** To carry out this section, there are authorized to be appropriated \$2,000,000 for fiscal year 2006, \$5,000,000 for fiscal year 2007, \$8,000,000 for fiscal year 2008, \$6,500,000 for fiscal year 2009, \$3,500,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 through 2015.
  - (2) **AVAILABILITY.** The amounts appropriated pursuant to paragraph (1) shall remain available for obligation through the end of fiscal year 2015.

**SUBPART IX—SUPPORT OF GRADUATE MEDICAL EDUCATION PROGRAMS IN CHILDREN’S HOSPITALS**

**SEC. 340E OF THE PUBLIC HEALTH SERVICE ACT**

**42 U.S.C. § 256e**

**PROGRAM OF PAYMENTS TO CHILDREN’S HOSPITALS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS**

- (a) **PAYMENTS.**—The Secretary shall make two payments under this section to each children’s hospital for each of fiscal years 2000 through 2005 and each of fiscal years 2007 through 2011, one for the direct expenses and the other for indirect expenses associated with operating approved graduate medical residency training programs. The Secretary shall promulgate regulations pursuant to the rulemaking requirements of title 5, United States Code, which shall govern payments made under this subpart.
- (b) **AMOUNT OF PAYMENTS.**—