

117TH CONGRESS
2D SESSION

H. R. 9571

To amend title II of the Public Health Services to provide clarity with respect to coverage of claims against health care practitioners providing health professional volunteer services at community health centers during declared emergencies.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2022

Mr. BARR introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title II of the Public Health Services to provide clarity with respect to coverage of claims against health care practitioners providing health professional volunteer services at community health centers during declared emergencies.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. COVERAGE OF CLAIMS AGAINST PRACTI-**
2 **TIONERS PROVIDING HEALTH PROFES-**
3 **SIONAL VOLUNTEER SERVICES AT COMMU-**
4 **NITY HEALTH CENTERS DURING DECLARED**
5 **EMERGENCIES.**

6 (a) IN GENERAL.—Section 224(q)(3) of the Public
7 Health Service Act (42 U.S.C. 233(q)(3)) is amended by
8 adding at the end the following:

9 “(E) Notwithstanding the process de-
10 scribed in clauses (i) and (ii) of subparagraph
11 (B), a health care practitioner who is a health
12 professional volunteer sponsored by an entity
13 described in subsection (g)(4) shall be deemed
14 to be sponsored by another entity described in
15 subsection (g)(4) if—

16 “(i) such other entity seeks the assist-
17 ance of such health professional volunteer
18 for purposes of responding to a declared
19 emergency;

20 “(ii) such other entity submits a noti-
21 fication of such assistance to the Secretary
22 not later than 15 days after the first day
23 on which such volunteer is to begin service
24 at such entity; and

1 “(iii) such volunteer is serving at such
2 entity pursuant to such notification during
3 a covered service period.

4 “(F) For purposes of subparagraph (E):

5 “(i) The term ‘covered service period’
6 means the period—

7 “(I) beginning on the later of—

8 “(aa) the date on which the
9 volunteer begins service at an-
10 other entity described in sub-
11 section (g)(4); or

12 “(bb) the first day of a de-
13 clared emergency, as determined
14 by the Secretary, acting through
15 the Administrator of the Health
16 Resources and Services Adminis-
17 tration; and

18 “(II) ending on the earlier of—

19 “(aa) the date on which the
20 declared emergency ends;

21 “(bb) the date on which the
22 provider stops volunteering at
23 such other entity; or

24 “(cc) 90 days after the date
25 determined under subclause (I).

1 “(ii) The term ‘declared emergency’
2 means—

3 “(I) an emergency or disaster de-
4 clared by the President pursuant to
5 the National Emergencies Act or the
6 Robert T. Stafford Disaster Relief
7 and Emergency Assistance Act; and

8 “(II) a public health emergency
9 declared by the Secretary pursuant to
10 section 319 of the Public Health Serv-
11 ice Act.”.

12 (b) CONFORMING AMENDMENTS.—Section 224(q) of
13 the Public Health Service Act (42 U.S.C. 233(q)) is
14 amended—

15 (1) in paragraph (2)—

16 (A) in subparagraph (B), by inserting be-
17 fore the period at the end the following: “(or is
18 deemed to be sponsoring a health care practi-
19 tioner pursuant to paragraph (3)(E))”; and

20 (B) in subparagraph (E), by inserting be-
21 fore the period at the end the following: “(and
22 in the case of a health care practitioner pro-
23 viding services at another entity described in
24 subsection (g)(4) pursuant to paragraph (3)(E),

1 the State in which such other entity is lo-
2 cated)”; and

3 (2) in paragraph (3)(B), in the matter pre-
4 ceding clause (i), by striking “With respect” and in-
5 serting “Except as provided in subparagraph (E),
6 with respect”.

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