

118TH CONGRESS
1ST SESSION

H. R. 3645

To amend the Public Health Service Act to establish emergency grants to safeguard essential health care workers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2023

Ms. LEE of Pennsylvania (for herself, Ms. LEE of California, Mr. KHANNA, Ms. BLUNT ROCHESTER, Mr. BOWMAN, Ms. BROWN, Mr. BOYLE of Pennsylvania, Ms. BUSH, Mr. CARSON, Mr. CARTER of Louisiana, Mr. CASAR, Ms. CROCKETT, Mr. CLYBURN, Mr. DELUZIO, Mrs. FOUSHEE, Mr. FROST, Mr. ROBERT GARCIA of California, Mr. JACKSON of Illinois, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mrs. MCCLELLAN, Mr. MFUME, Ms. MOORE of Wisconsin, Ms. OCASIO-CORTEZ, Ms. OMAR, Ms. PRESSLEY, Mrs. RAMIREZ, Ms. SEWELL, Ms. STRICKLAND, Ms. TLAIB, Mrs. WATSON COLEMAN, and Ms. WILLIAMS of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish emergency grants to safeguard essential health care workers, and for other purposes.

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. SAFEGUARDING ESSENTIAL HEALTH CARE**
2 **WORKERS.**

3 Title III of the Public Health Service Act is amended
4 by inserting after section 319D–1 (42 U.S.C. 247d–4b)
5 the following:

6 **“SEC. 319D-2. EMERGENCY GRANTS TO SAFEGUARD ESSEN-**
7 **TIAL HEALTH CARE WORKERS.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) EMERGENCY OR DISASTER.—The term
10 ‘emergency or disaster’ means—

11 “(A) a major disaster declared by the
12 President under section 401 of the Robert T.
13 Stafford Disaster Relief and Emergency Assist-
14 ance Act (42 U.S.C. 5170);

15 “(B) an emergency declared by the Presi-
16 dent under section 501 of the Robert T. Staf-
17 ford Disaster Relief and Emergency Assistance
18 Act (42 U.S.C. 5191);

19 “(C) a national emergency declared by the
20 President under the National Emergencies Act
21 (50 U.S.C. 1601 et seq.);

22 “(D) a public health emergency declared
23 under section 319; and

24 “(E) a State or local emergency or dis-
25 aster, as declared by the applicable State or
26 local government.

1 “(2) ELIGIBLE HEALTH CARE WORKER.—The
2 term ‘eligible health care worker’ means an essential
3 health care worker whose work cannot be conducted
4 remotely.

5 “(3) ESSENTIAL HEALTH CARE WORKER.—The
6 term ‘essential health care worker’ means—

7 “(A) a health care provider, including a di-
8 rect care worker (as defined in section 799B);

9 “(B) a medical technologist;

10 “(C) a public health worker;

11 “(D) an orderly (as defined in the 2010
12 Standard Occupational Classifications of the
13 Department of Labor under the code for Order-
14 lies (31–1015));

15 “(E) an environmental service, janitorial,
16 or custodial worker in a health care setting; and

17 “(F) any other professional role that the
18 Secretary determines is essential to the care of
19 patients or the maintenance of public health.

20 “(b) GRANTS.—

21 “(1) IN GENERAL.—The Secretary may make
22 grants to public or private nonprofit health care fa-
23 cilities and home health agencies for use in accord-
24 ance with paragraph (2).

25 “(2) USE OF FUNDS.—

1 “(A) HAZARDOUS DUTY COMPENSATION.—

2 “(i) IN GENERAL.—The recipient of a
3 grant under paragraph (1) shall use the
4 grant funds to provide hazardous duty
5 compensation to eligible health care work-
6 ers for work performed during the period
7 of an emergency or disaster in cases in
8 which the Secretary determines that—

9 “(I) the performance of the work
10 by the eligible health care worker for
11 the applicable health care facility or
12 home health agency is hazardous; or

13 “(II) the commute of the eligible
14 health care worker is hazardous.

15 “(ii) REQUIREMENT.—

16 “(I) IN GENERAL.—Subject to
17 subclause (II), the amount of haz-
18 ardous duty compensation under
19 clause (i) shall be not more than \$13
20 per hour, which shall be in addition to
21 the wages or remuneration the eligible
22 health care worker otherwise receives
23 for the work.

24 “(II) MAXIMUM AMOUNT.—The
25 total amount of hazardous duty com-

1 pensation received by any 1 eligible
2 health care worker under this sub-
3 paragraph may not exceed \$25,000
4 per year.

5 “(B) ADDITIONAL USES.—The recipient of
6 a grant under paragraph (1) may use the grant
7 funds to provide safety measures to safeguard
8 and protect eligible health care workers from
9 hazards due to the applicable emergency or dis-
10 aster, including alternative transit options, per-
11 sonal protective equipment, and other safety
12 measures.

13 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 such sums as may be necessary.”.

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