

Public Law 92-541

JOINT RESOLUTION

October 24, 1972
[H. J. Res. 748]

Amending Title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to provide certain assistance in the establishment of new State medical schools and the improvement of existing medical schools affiliated with the Veterans' Administration; to develop cooperative arrangements between institutions of higher education, hospitals, and other nonprofit health service institutions affiliated with the Veterans' Administration to coordinate, improve, and expand the training of professional and allied health and paramedical personnel; to develop and evaluate new health careers, interdisciplinary approaches and career advancement opportunities; to improve and expand allied and other health manpower utilization; to afford continuing education for health manpower of the Veterans' Administration and other such manpower at Regional Medical Education Centers established at Veterans' Administration hospitals throughout the United States; and for other purposes.

Whereas there is a great national shortage of physicians and allied health personnel;

Whereas it is now estimated that there is a shortage of approximately 48,000 doctors of medicine and over 250,000 allied health and other medical personnel;

Whereas the Veterans' Administration operates the largest medical care system in the United States, if not the world;

Whereas the Department of Medicine and Surgery of the Veterans' Administration has an active and close affiliation with over eighty medical schools;

Whereas if the training of sufficient numbers of physicians, other health professionals, allied health personnel, and other health personnel is to be accomplished, it is essential that the educational capacities of medical and health professions schools affiliated with the Veterans' Administration be expanded, that new medical and health professions schools affiliated with Veterans' Administration hospitals be established, and that education and training opportunities for the training of existing and future allied health and other health personnel be expanded and improved;

Whereas because of the size, diversity, and quality of its medical program, the Veterans' Administration's Department of Medicine and Surgery is uniquely qualified to assist in the expansion and improvement of existing affiliated medical schools and other health professions schools, in the establishment of new medical and health professions schools, and in the expansion and improvement of education and training opportunities for allied health and other health personnel; and

Whereas it is essential that an adequate number of physicians, health professionals, allied health personnel, and other health personnel be trained if the Congress is to discharge its responsibility to provide the best possible medical care for the Nation's veterans: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972".

SEC. 2. (a) Part VI of title 38, United States Code, is amended by inserting immediately after chapter 81 the following new chapter—

Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972.
72 Stat. 1251;
80 Stat. 1372.
38 USC 5001.

“Chapter 82—ASSISTANCE IN ESTABLISHING NEW STATE MEDICAL SCHOOLS; GRANTS TO AFFILIATED MEDICAL SCHOOLS; ASSISTANCE TO HEALTH MANPOWER TRAINING INSTITUTIONS

“Sec.

“5070. Coordination with public health programs; administration.

“SUBCHAPTER I—PILOT PROGRAM FOR ASSISTANCE IN THE ESTABLISHMENT OF NEW STATE MEDICAL SCHOOLS

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“5091. Declaration of purpose.

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“SUBCHAPTER IV—EXPANSION OF VETERANS' ADMINISTRATION HOSPITAL EDUCATION AND TRAINING CAPACITY

“5096. Expenditures to remodel and make special allocations to Veterans' Administration hospitals for health manpower education and training.

“§ 5070. Coordination with public health programs; administration

“(a) The Administrator and the Secretary of Health, Education, and Welfare shall, to the maximum extent practicable, coordinate the programs carried out under this chapter and the programs carried out under section 309 and titles VII, VIII, and IX of the Public Health Service Act.

“(b) The Administrator may not enter into any agreement under subchapter I of this chapter or make any grant or provide other assistance under subchapter II or III of this chapter after the end of the seventh calendar year after the calendar year in which this chapter takes effect.

“(c) The Administrator, after consultation with the special medical advisory committee established pursuant to section 4112(a) of this title, shall prescribe regulations covering the terms and conditions for entering into agreements and making grants under this chapter.

“(d) Payments made pursuant to grants under this chapter may be made in installments, and either in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Administrator may determine.

“(e) In making grants under this chapter, the Administrator shall give special consideration to applications from institutions which provide reasonable assurances, which shall be included in the grant agreement, that priority for admission to health manpower and training programs carried out by such institutions will be given to otherwise

42 USC 242g,
292, 296, 299.”

72 Stat. 1253;
78 Stat. 501.
38 USC 5011,
5031.
Regulations.

72 Stat. 1247;
80 Stat. 1370.
38 USC 4112.
Payments.

80 Stat. 1368.
38 USC 4101.

qualified veterans who during their military service acquired medical military occupation specialties, and that among such qualified veterans those who served during the Vietnam era and those who are entitled to disability compensation under laws administered by the Veterans' Administration or whose discharge or release was for a disability incurred or aggravated in line of duty will be given the highest priority. In carrying out this chapter and section 4101 (b) of this title in connection with health manpower and training programs assisted or conducted under this title or in affiliation with a Veterans' Administration medical facility, the Administrator shall take appropriate steps to encourage the institutions involved to afford the priorities described in the first sentence of this subsection and to advise all qualified veterans with such medical military occupation specialties of the steps he has taken under this subsection and the opportunities available to them as a result of such steps.

Recordkeeping.

"(f) (1) Each recipient of assistance under this chapter shall keep such records as the Administrator shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is made or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

Audit.

"(2) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of any assistance under this chapter which are pertinent to such assistance.

"SUBCHAPTER I—PILOT PROGRAM FOR ASSISTANCE IN THE ESTABLISHMENT OF NEW STATE MEDICAL SCHOOLS

"§ 5071. Declaration of purpose

"The purpose of this subchapter is to authorize the Administrator to implement a pilot program under which he may provide assistance in the establishment of new State medical schools at colleges or universities which are primarily supported by the States in which they are located if such schools are located in proximity to, and operated in conjunction with, Veterans' Administration medical facilities.

"§ 5072. Authorization of appropriations

"(a) There is authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1973, and a like sum for each of the six succeeding fiscal years. Sums appropriated pursuant to this section shall be used for making grants pursuant to section 5073 of this title.

"(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the sixth fiscal year following the fiscal year for which they are appropriated.

"§ 5073. Pilot program assistance

"(a) Subject to subsection (b) of this section, the Administrator may enter into an agreement to provide to any college or university which is primarily supported by the State in which it is located (hereinafter in this subchapter referred to as 'institution') the following assistance to enable such institution to establish a new medical school:

"(1) The leasing to the institution, for such consideration and under such terms and conditions as the Administrator deems appropriate, of such land, buildings, and structures (including equipment therein) under the control and jurisdiction of the Vet-

erans' Administration as may be necessary for such school. The three-year limitation on the term of a lease in section 5012(a) of this title shall not apply with respect to any lease entered into pursuant to this paragraph. Any lease made pursuant to this subchapter may be made without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5). Notwithstanding section 321 of the Act entitled 'An Act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes', approved June 30, 1932 (40 U.S.C. 303b), or any other provision of law, a lease made pursuant to this subchapter may provide for the maintenance, protection, or restoration, by the lessee, of the property leased, as a part or all of the consideration for the lease.

72 Stat. 1253.
38 USC 5012.

"(2) The extension, alteration, remodeling, improvement, or repair of buildings and structures (including, as part of a lease made under paragraph (1), the provision of equipment) provided under paragraph (1) to the extent necessary to make them suitable for use as medical school facilities.

47 Stat. 412.

"(3) The making of grants to assist the institution to pay the cost of the salaries of the faculty of such school during the initial twelve-month period of operation of the school and the next six such twelve-month periods, but payment under this paragraph may not exceed an amount equal to—

"(A) 90 per centum of the cost of faculty salaries during the first twelve-month period of operation,

"(B) 90 per centum of such cost during the second such period,

"(C) 90 per centum of such cost during the third such period,

"(D) 80 per centum of such cost during the fourth such period,

"(E) 70 per centum of such cost during the fifth such period,

"(F) 60 per centum of such cost during the sixth such period, and

"(G) 50 per centum of such cost during the seventh such period.

"(b) (1) The Administrator may not enter into any agreement under subsection (a) of this section unless he finds, and the agreement includes satisfactory assurances, that—

"(A) there will be adequate State or other financial support for the proposed school;

"(B) the overall plans for the school meet such professional and other standards as the Administrator deems appropriate;

"(C) the school will maintain such arrangements with the Veterans' Administration medical facility with which it is associated (including but not limited to such arrangements as may be made under subchapter IV of chapter 81 of this title) as will be mutually beneficial in the carrying out of the mission of the medical facility and the school; and

80 Stat. 1373;
85 Stat. 178.
38 USC 5051.

"(D) on the basis of consultation with the appropriate accreditation body or bodies approved for such purpose by the Commissioner of Education of the Department of Health, Education, and Welfare, there is reasonable assurance that, with the aid of an agreement under subsection (a) of this section, such school will meet the accreditation standards of such body or bodies within a reasonable time.

"(2) Any agreement entered into by the Administrator under this subchapter shall contain such terms and conditions (in addition to

those imposed pursuant to subsections (a) (1) and (b) (1) of this section) as he deems necessary and appropriate to protect the interest of the United States.

“(c) If the Administrator, in accordance with such regulations as he shall prescribe, determines that any school established with assistance under this chapter—

“(1) is not accredited and fails to gain appropriate accreditation within a reasonable period of time;

“(2) is accredited but fails substantially to carry out the terms of the agreement entered into under this chapter; or

“(3) is no longer operated for the purpose for which such assistance was granted,

he shall be entitled to recover from the recipient of assistance under this chapter the facilities of such school which were established with assistance under this chapter. In order to recover such facilities the Administrator may bring an action in the district court of the United States for the district in which such facilities are situated.

“§ 5074. Limitations

“The Administrator may not use the authority under this subchapter to assist in the establishment of more than eight new medical schools. Such schools shall be located in geographically dispersed areas of the United States.

“SUBCHAPTER II—GRANTS TO AFFILIATED MEDICAL SCHOOLS

“§ 5081. Declaration of purpose

“The purpose of this subchapter is to authorize the Administrator to carry out a program of grants to medical schools which have maintained affiliations with the Veterans’ Administration in order to assist such schools to expand and improve their training capacities and to cooperate with institutions of the types assisted under subchapter III of this chapter in carrying out the purposes of such subchapter.

“§ 5082. Authorization of appropriations

“(a) There is further authorized to be appropriated \$50,000,000 for the fiscal year ending June 30, 1973, and a like sum for each of the six succeeding fiscal years, for carrying out programs authorized under this chapter.

“(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the sixth fiscal year following the fiscal year for which they are appropriated.

“§ 5083. Grants

“(a) Any medical school which is affiliated with the Veterans’ Administration under an agreement entered into pursuant to subchapter IV of chapter 81 of this title may apply to the Administrator for a grant under this subchapter to assist such school, in part, to carry out, through the Veterans’ Administration medical facility with which it is affiliated, projects and programs in furtherance of the purposes of this subchapter, except that no grant shall be made for the construction of any building which will not be located on land under the jurisdiction of the Administrator. Any such application shall contain such information in such detail as the Administrator deems necessary and appropriate.

“(b) An application for a grant under this section may be approved by the Administrator only upon his determination that—

“(1) the proposed projects and programs for which the grant will be made will make a significant contribution to improving the medical education (including continuing education) program of the school and will result in a substantial increase in the number of medical students attending such school, provided there is reasonable assurance from a recognized accrediting body or bodies approved for such purposes by the Commissioner of Education of the Department of Health, Education, and Welfare that the increase in the number of students will not threaten any existing accreditation or otherwise compromise the quality of the training at such school;

“(2) the application contains or is supported by adequate assurance that any Federal funds made available under this subchapter will be supplemented by funds or other resources available from other sources, whether public or private;

“(3) the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds expended under this subchapter; and

“(4) the application provides for making such reports, in such form and containing such information, as the Administrator may require to carry out his functions under this subchapter, and for keeping such records and for affording such access thereto as the Administrator may find necessary to assure the correctness and verification of such reports.

“SUBCHAPTER III—ASSISTANCE TO PUBLIC AND NON-PROFIT INSTITUTIONS OF HIGHER LEARNING, HOSPITALS AND OTHER HEALTH MANPOWER INSTITUTIONS AFFILIATED WITH THE VETERANS' ADMINISTRATION TO INCREASE THE PRODUCTION OF PROFESSIONAL AND OTHER HEALTH PERSONNEL

“§ 5091. Declaration of purpose

“The purpose of this subchapter is to authorize the Administrator to carry out a program of grants to provide assistance in the establishment of cooperative arrangements among universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health manpower institutions affiliated with the Veterans' Administration, designed to coordinate, improve, and expand the training of professional and technical allied health and paramedical personnel, and to assist in developing and evaluating new health careers, interdisciplinary approaches and career advancement opportunities, so as to improve and expand allied and other health manpower utilization.

“§ 5092. Definition

“For the purpose of this subchapter, the term ‘eligible institution’ means any nonprofit educational facility or other public or nonprofit institution, including universities, colleges, junior colleges, community colleges, schools of allied health professions, State and local systems of education, hospitals, and other nonprofit health manpower institutions for the training or education of allied health or other health personnel affiliated with the Veterans' Administration for the conduct of or the providing of guidance for education and training programs for health manpower.

“§ 5093. Grants

“(a) Any eligible institution may apply to the Administrator for a grant under this subchapter to assist such institution to carry out, through the Veterans’ Administration medical facility with which it is, or will become affiliated, educational and clinical projects and programs, matching the clinical requirements of the facility to the health manpower training potential of the eligible institution, for the expansion and improvement of such institution’s capacity to train health manpower, including physicians’ assistants, nurse practitioners, and other new types of health personnel in furtherance of the purposes of this subchapter. Any such application shall contain a plan to carry out such projects and programs and such other information in such detail as the Administrator deems necessary and appropriate.

“(b) An application for a grant under this section may be approved by the Administrator only upon his determination that—

“(1) the proposed projects and programs for which the grant will be made will make a significant contribution to improving the education (including continuing education) or training program of the eligible institution and will result in a substantial increase in the number of students trained at such institution, provided there is reasonable assurance from a recognized accrediting body or bodies approved for such purposes by the Commissioner of Education of the Department of Health, Education, and Welfare that the increase in the number of students will not threaten any existing accreditation or otherwise compromise the quality of the training at such institution;

“(2) the application contains or is supported by adequate assurance that any Federal funds made available under this subchapter will be supplemented by funds or other resources available from other sources, whether public or private;

“(3) the application sets forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds expended under this subchapter; and

“(4) the application provides for making such reports, in such form and containing such information, as the Administrator may require to carry out his functions under this subchapter, and for keeping such records and for affording such access thereto as the Administrator may find necessary to assure the correctness and verification of such reports.

“SUBCHAPTER IV—EXPANSION OF VETERANS’ ADMINISTRATION HOSPITAL EDUCATION AND TRAINING CAPACITY

“§ 5096. Expenditures to remodel and make special allocations to Veterans’ Administration hospitals for health manpower education and training

“Out of funds appropriated to the Veterans’ Administration pursuant to the authorization in section 5082 of this title, the Administrator may expend such sums as he deems necessary, not to exceed 30 per centum thereof, for (1) the necessary extension, expansion, alteration, improvement, remodeling, or repair of Veterans’ Administration buildings and structures (including provision of initial equipment, replacement of obsolete or worn-out equipment, and, where necessary, addition of classrooms, lecture facilities, laboratories, and other teaching facilities) to the extent necessary to make them suitable for use for health manpower education and training in order to carry out the purpose set forth in section 4101(b), and (2) special

allocations to Veterans' Administration hospitals and other medical facilities for the development or initiation of improved methods of education and training which may include the development or initiation of plans which reduce the period of required education and training for health personnel but which do not adversely affect the quality of such education or training."

(b) The table of chapters at the beginning of part VI of title 38, United States Code, is amended by adding

"82. Assistance in Establishing New State Medical Schools; Grants to Affiliated Medical Schools; Assistance to Health Manpower Training Institutions..... 5070".

immediately below

"81. Acquisition and Operation of Hospital and Domiciliary Facilities; Procurement and Supply..... 5001".

SEC. 3. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following new subchapter:

72 Stat. 1243;
80 Stat. 1371.
38 USC 4101.

"SUBCHAPTER II—REGIONAL MEDICAL EDUCATION CENTERS

"§ 4121. Designation of Regional Medical Education Centers

"(a) In carrying out his functions under section 4101 of this title with regard to the training of health manpower, the Administrator shall implement a pilot program under which he shall designate as Regional Medical Education Centers such Veterans' Administration hospitals as he determines appropriate to carry out the provisions of this subchapter in geographically dispersed areas of the United States.

"(b) Each Regional Medical Education Center (hereinafter in this subchapter referred to as 'Center') designated under subsection (a) of this section shall provide in-residence continuing medical and related education programs for medical and health personnel eligible for training under this subchapter, including (1) the teaching of newly developed medical skills and the use of newly developed medical technologies and equipment, (2) advanced clinical instruction, (3) the opportunity for conducting clinical investigations, (4) clinical demonstrations in the utilization of new types of health personnel and in the better utilization of the skills of existing health personnel, and (5) routine verification of basic medical skills and, where determined necessary, remediation of any deficiency in such skills.

"§ 4122. Supervision and staffing of Centers

"(a) Centers shall be operated under the supervision of the Chief Medical Director and staffed with personnel qualified to provide the highest quality instruction and training in various medical and health care disciplines.

"(b) As a means of providing appropriate recognition to individuals in the career service of the Department of Medicine and Surgery who possess outstanding qualifications in a particular medical or health care discipline, the Chief Medical Director shall from time to time and for such period as he deems appropriate assign such individuals to serve as visiting instructors at Centers.

"(c) Whenever he deems it necessary for the effective conduct of the program provided for under this subchapter, the Chief Medical Director is authorized to contract for the services of highly qualified medical and health personnel from outside the Veterans' Administration to serve as instructors at such Centers.

"§ 4123. Personnel eligible for training

"The Chief Medical Director shall determine the manner in which personnel are to be selected for training in the Centers. Preference

shall be given to career personnel of the Department of Medicine and Surgery. To the extent that facilities are available, other medical and health personnel shall, on a fully reimbursable basis, be eligible for in-residence training in the Centers.

“§ 4124. Consultation

“The Chief Medical Director shall carry out the provisions of this subchapter after consultation with the special medical advisory group established pursuant to section 4112 (a) of this title.”

(b) (1) The table of sections at the beginning of chapter 73 of title 38, United States Code, is amended by inserting at the beginning of such table the following:

“SUBCHAPTER I—ORGANIZATION; GENERAL”.

(2) Such table of sections is further amended by adding at the end thereof the following:

“SUBCHAPTER II—REGIONAL MEDICAL EDUCATION CENTERS

“4121. Designation of Regional Medical Education Centers.

“4122. Supervision and staffing of Centers.

“4123. Personnel eligible for training.

“4124. Consultation.

“SUBCHAPTER I—ORGANIZATION; GENERAL”.

Approved October 24, 1972.

Public Law 92-542

AN ACT

To authorize appropriations for fiscal year 1973 to carry out the Flammable Fabrics Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the Flammable Fabrics Act (81 Stat. 573) is amended by striking out “1968, and” and inserting “1968,” in lieu thereof, and by inserting immediately after “June 30, 1970,” the following: “and \$4,000,000 for the fiscal year ending June 30, 1973.”

Approved October 25, 1972.

Public Law 92-543

AN ACT

To amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 389 of the Revised Statutes of the United States relating to the District of Columbia (D.C. Code, sec. 4-135), is amended to read as follows: “The records to be kept by paragraphs 1, 2, and 4 of section 386 shall be open to public inspection when not in actual use, and this requirement shall be enforceable by mandatory injunction issued by the Superior Court of the District of Columbia on the application of any person.”

Approved October 25, 1972.

72 Stat. 1247;
80 Stat. 1370,
38 USC 4112.

October 25, 1972
[H. R. 5066]

Flammable
Fabrics Act,
amendment.
15 USC 1191
note.

October 25, 1972
[H. R. 11773]

D.C.
Police person-
nel records, public
inspection.
68 Stat. 755.
67 Stat. 99.
D.C. Code
4-134.