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PATHWAYS TO HEALTH CAREERS ACT

OCTOBER 29, 2019.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. NEAL, from the Committee on Ways and Means, submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 3398]

[Including cost estimate of the Congressional Budget Office]

The Committee on Ways and Means, to whom was referred the bill (H.R. 3398) to provide low-income individuals with opportunities to enter and follow a career pathway in the health professions, to extend and expand demonstration projects, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pathways to Health Careers Act".

SEC. 2. EXTENSION THROUGH FISCAL YEAR 2020 OF FUNDING FOR DEMONSTRATION PROJECTS TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.

(a) IN GENERAL.—Section 2008(c)(1) of the Social Security Act (42 U.S.C. 1397g(c)(1)) is amended by striking "2019." and inserting "2020, and to provide technical assistance and cover administrative costs associated with implementing the successor to this section $15,000,000 for fiscal year 2020.".

(b) AVAILABILITY OF OTHER FUNDS.—Upon the date of the enactment of this section—

(1) amounts expended pursuant to section 1501 of division B of Public Law 116–59, or any other prior law making amounts available for fiscal year 2020 for activities authorized by section 2008 of the Social Security Act, shall be charged to the appropriation made by subsection (c)(1) of such section 2008 for fiscal year 2020 (not including the amount for technical assistance and administrative costs); and

(2) if such enactment occurs on or before November 21, 2019, the availability of funds appropriated in, and the authority provided under, such section 1501 shall terminate.

SEC. 3. CAREER PATHWAYS THROUGH HEALTH PROFESSION OPPORTUNITY GRANTS.

Effective October 1, 2020, section 2008 of the Social Security Act (42 U.S.C. 1397g) is amended to read as follows:

"SEC. 2008. CAREER PATHWAYS THROUGH HEALTH PROFESSION OPPORTUNITY GRANTS.

"(a) APPLICATION REQUIREMENTS.—An eligible entity desiring a grant under this section for a project shall submit to the Secretary an application for the grant, that includes the following:

"(1) A description of how the applicant will use a career pathways approach to train eligible individuals for health professions that pay well or will put eligible individuals on a career path to an occupation that pays well, under the project.

"(2) A description of the adult basic education and literacy activities, work readiness activities, training activities, and case management and career coaching services that the applicant will use to assist eligible individuals to gain work experience, connection to employers, and job placement, and a description of the plan for recruiting, hiring, and training staff to provide the case management, mentoring, and career coaching services, under the project directly or through local governmental, apprenticeship, educational, or charitable institutions.

"(3) In the case of an application for a grant under this section for a demonstration project described in subsection (c)(2)(B)(i)(I)—

"(A) a demonstration that the State in which the demonstration project is to be conducted has in effect policies or laws that permit certain allied health and behavioral health care credentials to be awarded to people with certain arrest or conviction records (which policies or laws shall include appeals processes, waivers, certificates, and other opportunities to demonstrate rehabilitation to obtain credentials, licensure, and approval to work in the proposed health careers), and a plan described in the application that will use a career pathway to assist participants with such a record in acquiring credentials, licensing, and employment in the specified careers;

"(B) a discussion of how the project or future strategic hiring decisions will demonstrate the experience and expertise of the project in working with job seekers who have arrest or conviction records or employers with experience working with people with arrest or conviction records;

"(C) an identification of promising innovations or best practices that can be used to provide the training;

"(D) a proof of concept or demonstration that the applicant has done sufficient research on workforce shortage or in-demand jobs for which people with certain types of arrest or conviction records can be hired;

"(E) a plan for recruiting students who are eligible individuals into the project; and

"(F) a plan for providing post-employment support and ongoing training as part of a career pathway under the project.

"(4) In the case of an application for a grant under this section for a demonstration project described in subsection (c)(2)(B)(i)(II)—

"(A) a description of the partnerships, strategic staff hiring decisions, tailored program activities, or other programmatic elements of the project, such as training plans for doulas and other community health workers and training plans for midwives and other allied health professions, that are designed to support a career pathway in pregnancy, birth, or post-partum services; and

"(B) a demonstration that the State in which the demonstration project is to be conducted recognizes doulas or midwives, as the case may be.

"(5) A demonstration that the applicant has experience working with low-income populations, or a description of the plan of the applicant to work with a partner organization that has the experience.

"(6) A plan for providing post-employment support and ongoing training as part of a career pathway under the project.

"(7) A description of the support services that the applicant will provide under the project, including a plan for how child care and transportation support services will be guaranteed and, if the applicant will provide a cash stipend or wage supplement, how the stipend or supplement would be calculated and distributed.

"(8) A certification by the applicant that the project development included—

"(A) consultation with a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act;

"(B) consideration of apprenticeship and pre-apprenticeship models registered under the Act of August 16, 1937 (also known as the 'National Apprenticeship Act');

"(C) consideration of career pathway programs in the State in which the project is to be conducted; and

"(D) a review of the State plan under section 102 or 103 of the Workforce Innovation and Opportunity Act.

"(9) A description of the availability and relevance of recent labor market information and other pertinent evidence of in-demand jobs or worker shortages.

"(10) A certification that the applicant will directly provide or contract for the training services described in the application.

"(11) A commitment by the applicant that, if the grant is made to the applicant, the applicant will—

"(A) during the planning period for the project, provide the Secretary with any information needed by the Secretary to establish adequate data reporting and administrative structure for the project;

"(B) hire a person to direct the project not later than the end of the planning period applicable to the project;

"(C) accept all technical assistance offered by the Secretary with respect to the grant;

"(D) participate in such in-person grantee conferences as are regularly scheduled by the Secretary;

"(E) provide all data required by the Secretary under subsection (g); and

"(F) notify the local disabled veterans' outreach program specialists under section 4103A of title 38, United States Code, and the local veterans' employment representatives under section 4104 of such title, of the grantee's outreach plan for advertising training opportunities to potential participants in the project.

"(b) PREFERENCES IN CONSIDERING APPLICATIONS.—In considering applications for a grant under this section, the Secretary shall give preference to—

"(1) applications submitted by applicants to whom a grant was made under this section or any predecessor to this section;

"(2) applications submitted by applicants who have business and community partners in each of the following categories:

"(A) State and local government agencies and social service providers, including a State or local entity that administers a State program funded under part A of this title;

"(B) institutions of higher education, apprenticeship programs, and local workforce development boards established under section 107 of the Workforce Innovation and Opportunity Act; and

"(C) health care employers, health care industry or sector partnerships, labor unions, and labor-management partnerships;

"(3) applications that include opportunities for mentoring or peer support, and make career coaching available, as part of the case management plan;

"(4) applications which describe a project that will serve a rural area in which—

"(A) the community in which the individuals to be enrolled in the project reside is located;

"(B) the project will be conducted; or

"(C) an employer partnership that has committed to hiring individuals who successfully complete all activities under the project is located;

"(5) applications that include a commitment to providing project participants with a cash stipend or wage supplement; and

"(6) applications which have an emergency cash fund to assist project participants financially in emergency situations.

"(c) GRANTS.—

"(1) COMPETITIVE GRANTS.—

"(A) GRANT AUTHORITY.—

"(i) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor and the Secretary of Education, may make a grant in accordance with this paragraph to an eligible entity whose application for the grant is approved by the Secretary, to conduct a project designed to train low-income individuals for allied health professions, health information technology, physicians assistants, nursing assistants, registered nurse, advanced practice nurse, and other professions considered part of a health care career pathway model.

"(ii) GUARANTEE OF GRANTEES IN EACH STATE AND THE DISTRICT OF COLUMBIA.—For each grant cycle, the Secretary shall award a grant under this paragraph to at least 2 eligible entities in each State that is not a territory, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant. If, for a grant cycle, there are fewer than 2 such eligible entities in a State, the Secretary shall include that information in the report required by subsection (g)(2) that covers the fiscal year.

"(B) GUARANTEE OF GRANTS FOR INDIAN POPULATIONS.—From the amount reserved under subsection (i)(2)(B) for each fiscal year, the Secretary shall award a grant under this paragraph to at least 10 eligible entities that are an Indian tribe, a tribal organization, or a tribal college or university, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant.

"(C) GUARANTEE OF GRANTEES IN THE TERRITORIES.—From the amount reserved under subsection (i)(2)(C) for each fiscal year, the Secretary shall award a grant under this paragraph to at least 2 eligible entities that are located in a territory, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant.

"(2) GRANTS FOR DEMONSTRATION PROJECTS.—

"(A) GRANT AUTHORITY.—The Secretary, in consultation with the Secretary of Labor and the Secretary of Education (and, with respect to demonstration projects of the type described in subparagraph (B)(i)(I), the Attorney General) shall make a grant in accordance with this subsection to an eligible entity whose application for the grant is approved by the Secretary, to conduct a demonstration project that meets the requirements of subparagraph (B).

"(B) REQUIREMENTS.—The requirements of this subparagraph are the following:

"(i) TYPE OF PROJECT.—The demonstration project shall be of 1 of the following types:

"(I) INDIVIDUALS WITH ARREST OR CONVICTION RECORDS DEMONSTRATION.—The demonstration project shall be of a type designed to provide education and training for eligible individuals with arrest or conviction records to enter and follow a career pathway in the health professions through occupations that pay well and are expected to experience a labor shortage or be in high demand.

"(II) PREGNANCY AND CHILDBIRTH CAREER PATHWAY DEMONSTRATION.—The demonstration project shall be of a type designed to provide education and training for eligible individuals to enter and follow a career pathway in the field of pregnancy, childbirth, or post-partum, in a State that recognizes doulas or midwives and that provides payment for services provided by doulas or midwives, as the case may be, under private or public health insurance plans.

"(ii) DURATION.—The demonstration project shall be conducted for not less than 5 years.

"(C) MINIMUM ALLOCATION OF FUNDS FOR EACH TYPE OF DEMONSTRATION PROJECT.—

"(i) INDIVIDUALS WITH ARREST OR CONVICTION RECORDS DEMONSTRATIONS.—Not less than 25 percent of the amounts made available for grants under this paragraph shall be used to make grants for demonstration projects of the type described in subparagraph (B)(i)(I).

"(ii) PREGNANCY AND CHILDBIRTH CAREER PATHWAY DEMONSTRATIONS.—Not less than 25 percent of the amounts made available for grants under this paragraph shall be used to make grants for demonstration projects of the type described in subparagraph (B)(i)(II).

"(3) GRANT CYCLE.—The grant cycle under this section shall be not less than 5 years, with a planning period of not more than the 1st 12 months of the grant cycle. During the planning period, the amount of the grant shall be in such lesser amount as the Secretary determines appropriate.

"(d) USE OF GRANT.—

"(1) IN GENERAL.—An entity to which a grant is made under this section shall use the grant in accordance with the approved application for the grant.

"(2) SUPPORT TO BE PROVIDED.—

"(A) REQUIRED SUPPORT.—A project for which a grant is made under this section shall include the following:

"(i) An assessment for adult basic skill competency, and provision of adult basic skills education if necessary for lower-skilled eligible individuals to enroll in the project and go on to enter and complete post-secondary training, through means including the following:

"(I) Establishing a network of partners that offer pre-training activities for project participants who need to improve basic academic skills or English language proficiency before entering a health occupational training career pathway program.

"(II) Offering resources to enable project participants to continue advancing adult basic skill proficiency while enrolled in a career pathway program.

"(III) Embedding adult basic skill maintenance as part of ongoing post-graduation career coaching and mentoring.

"(ii) A guarantee that child care is an available and affordable support service for project participants through means such as the following;

"(I) Referral to, and assistance with, enrollment in a subsidized child care program.

"(II) Direct payment to a child care provider if a slot in a subsidized child care program is not available or reasonably accessible.

"(III) Payment of co-payments or associated fees for child care.

"(iii) Case management plans that include career coaching (with the option to offer appropriate peer support and mentoring opportunities to help develop soft skills and social capital), which may be offered on an ongoing basis before, during, and after initial training as part of a career pathway model.

"(iv) A plan to provide project participants with transportation through means such as the following:

"(I) Referral to, and assistance with enrollment in, a subsidized transportation program.

"(II) If a subsidized transportation program is not reasonably available, direct payments to subsidize transportation costs.

For purposes of this clause, the term 'transportation' includes public transit, or gasoline for a personal vehicle if public transit is not reasonably accessible or available.

"(v) In the case of a demonstration project of the type described in subsection (c)(2)(B)(i)(I), access to legal assistance for project participants for the purpose of addressing arrest or conviction records and associated workforce barriers.

"(B) ALLOWED SUPPORT.—The goods and services provided under a project for which a grant is made under this section may include the following:

"(i) A cash stipend that is at least monthly.

"(ii) A reserve fund for financial assistance to project participants in emergency situations.

"(iii) Tuition, and training materials such as books, software, uniforms, shoes, and hair nets.

"(iv) In-kind resource donations such as interview clothing and conference attendance fees.

"(v) Assistance with accessing and completing high school equivalency or adult basic education courses as necessary to achieve success in the project and make progress toward career goals.

"(vi) Assistance with programs and activities, including legal assistance, deemed necessary to address arrest or conviction records as an employment barrier.

"(vii) Other support services as deemed necessary for family well-being, success in the project, and progress toward career goals.

"(C) TREATMENT OF SUPPORT FOR PURPOSES OF MEANS-TESTED PROGRAMS.—Any goods or services provided to an eligible individual participating in a project for which a grant is made under this section shall not be considered income, and shall not be taken into account for purposes of determining the eligibility of the individual for, or amount of benefits to be provided to the individual, under any means-tested program.

"(3) TRAINING.—The number of hours of training provided to an eligible individual under a project for which a grant is made under this section, for a recognized postsecondary credential, including an industry-recognized credential, which is awarded in recognition of attainment of measurable technical or occupational skills necessary to gain employment or advance within an occupation (including a certificate awarded by a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act), shall be—

"(A) not less than the number of hours of training required for certification in that level of skill by the State in which the project is conducted; or

"(B) if there is no such requirement, such number of hours of training as the Secretary finds is necessary to achieve that skill level.

"(4) INCOME LIMITATION.—An entity to which a grant is made under this section shall not use the grant to provide support to a person who is not an eligible individual.

"(5) INCLUSION OF TANF RECIPIENTS.—In the case of a project for which a grant is made under this section that is conducted in a State that has a program funded under part A of title IV, at least 10 percent of the eligible individuals to whom support is provided under the project shall meet the income eligibility requirements under that State program, without regard to whether the individuals receive benefits or services directly under that State program.

"(6) PROHIBITION.—An entity to which a grant is made under this section shall not use the grant for purposes of entertainment, except that case management and career coaching services may include celebrations of specific career-based milestones such as completing a semester, graduation, or job placement.

"(e) TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall provide technical assistance—

"(A) to assist eligible entities in applying for grants under this section;

"(B) that is tailored to meet the needs of grantees at each stage of the administration of projects for which grants are made under this section;

"(C) that is tailored to meet the specific needs of Indian tribes, tribal organizations, and tribal colleges and universities;

"(D) that is tailored to meet the specific needs of the territories;

"(E) that is tailored to meet the specific needs of eligible entities in carrying out demonstration projects for which a grant is made under this section; and

"(F) to facilitate the exchange of information among eligible entities regarding best practices and promising practices used in the projects.

"(2) CONTINUATION OF PEER TECHNICAL ASSISTANCE CONFERENCES.—The Secretary shall continue to hold peer technical assistance conferences for entities to which a grant is made under this section or was made under the immediate predecessor of this section.

"(f) EVALUATION OF DEMONSTRATION PROJECTS.—

"(1) IN GENERAL.—The Secretary shall, by grant, contract, or interagency agreement, conduct rigorous and well-designed evaluations of the demonstration projects for which a grant is made under this section.

"(2) REQUIREMENT APPLICABLE TO INDIVIDUALS WITH ARREST OR CONVICTION RECORDS DEMONSTRATION.—In the case of a project of the type described in subsection (c)(2)(B)(i)(I), the evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals with arrest or conviction records, a health professions workforce that has accessible entry points, that meets high

standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the needs of the workforce.

"(3) REQUIREMENT APPLICABLE TO PREGNANCY AND CHILDBIRTH CAREER PATHWAY DEMONSTRATION.—In the case of a project of the type described in subsection (c)(2)(B)(i)(II), the evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals and other entry-level workers, a career pathway that has accessible entry points, that meets high standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the needs of the birth, pregnancy, and post-partum workforce.

"(4) RULE OF INTERPRETATION.—Evaluations conducted pursuant to this subsection may include a randomized controlled trial, but this subsection shall not be interpreted to require an evaluation to include such a trial.

"(g) REPORTS.—

"(1) TO THE SECRETARY.—An eligible entity awarded a grant to conduct a project under this section shall submit interim reports to the Secretary on the activities carried out under the project, and, on the conclusion of the project, a final report on the activities. Each such report shall include data on participant outcomes related to earnings, employment in health professions, graduation rate, graduation timeliness, credential attainment, participant demographics, and other data specified by the Secretary.

"(2) TO THE CONGRESS.—During each Congress, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report—

"(A) on the demographics of the participants in the projects for which a grant is made under this section;

"(B) on the rate of which project participants completed all activities under the projects;

"(C) on the employment credentials acquired by project participants;

"(D) on the employment of project participants on completion of activities under the projects, and the earnings of project participants at entry into employment;

"(E) on best practices and promising practices used in the projects;

"(F) on the nature of any technical assistance provided to grantees under this section;

"(G) on, with respect to the period since the period covered in the most recent prior report submitted under this paragraph—

"(i) the number of applications submitted under this section, with a separate statement of the number of applications referred to in subsection (b)(5);

"(ii) the number of applications that were approved, with a separate statement of the number of such applications referred to in subsection (b)(5); and

"(iii) a description of how grants were made in any case described in the last sentence of subsection (c)(1)(A)(ii); and

"(H) that includes an assessment of the effectiveness of the projects with respect to addressing health professions workforce shortages or in-demand jobs.

"(h) DEFINITIONS.—In this section:

"(1) ALLIED HEALTH PROFESSION.—The term 'allied health profession' has the meaning given in section 799B(5) of the Public Health Service Act.

"(2) CAREER PATHWAY.—The term 'career pathway' has the meaning given that term in section 3(7) of the Workforce Innovation and Opportunity Act.

"(3) DOULA.—The term 'doula' means an individual who—

"(A) is certified by an organization that has been established for not less than 5 years and that requires the completion of continuing education to maintain the certification, to provide non-medical advice, information, emotional support, and physical comfort to an individual during the individual's pregnancy, childbirth, and post-partum period; and

"(B) maintains the certification by completing the required continuing education.

"(4) ELIGIBLE ENTITY.—The term 'eligible entity' means any of the following entities that demonstrates in an application submitted under this section that the entity has the capacity to fully develop and administer the project described in the application:

"(A) A local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act.

"(B) A State or territory, a political subdivision of a State or territory, or an agency of a State, territory, or such a political subdivision, including a State or local entity that administers a State program funded under part A of this title.

"(C) An Indian tribe, a tribal organization, or a tribal college or university.

"(D) An institution of higher education (as defined in the Higher Education Act of 1965).

"(E) A hospital (as defined in section 1861(e)).

"(F) A high-quality skilled nursing facility (as defined in section 1819(a)).

"(G) A Federally qualified health center (as defined in section 1861(aa)(4)).

"(H) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986, a labor organization, or an entity with shared labor-management oversight, that has a demonstrated history of providing health profession training to eligible individuals.

"(I) In the case of a demonstration project of the type provided for in subsection (c)(2)(B)(i)(II) of this section, an entity recognized by a State, Indian tribe, or tribal organization as qualified to train doulas or midwives, if midwives or doulas, as the case may be, are permitted to practice in the State involved.

"(J) An opioid treatment program (as defined in section 1861(jjj)(2)), and other high quality comprehensive addiction care providers.

"(5) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means an individual whose family income does not exceed 200 percent of the Federal poverty level.

"(6) FEDERAL POVERTY LEVEL.—The term 'Federal poverty level' means the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section applicable to a family of the size involved).

"(7) HIGH-QUALITY SKILLED NURSING FACILITY.—The term 'high-quality skilled nursing facility' means a facility (as defined in section 1819(a)) that has at least a 5-star rating for staffing to participate based on the data from section 1819(i)(1)(A)(i) and not have an immediate jeopardy violation as described in section 1819(h)(1)(A) within the preceding 3 years.

"(8) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms 'Indian tribe' and 'tribal organization' have the meaning given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(9) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 or 102(a)(1)(B) of the Higher Education Act of 1965.

"(10) TERRITORY.—The term 'territory' means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa.

"(11) TRIBAL COLLEGE OR UNIVERSITY.—The term 'tribal college or university' has the meaning given the term in section 316(b) of the Higher Education Act of 1965.

"(i) FUNDING.—

"(1) IN GENERAL.—Out of any funds in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary to carry out this section $425,000,000 for each of fiscal years 2021 through 2025.

"(2) ALLOCATION OF FUNDS.—Of the amount appropriated for a fiscal year under paragraph (1) of this subsection—

"(A) 75 percent shall be available for grants under subsection (c)(1)(A);

"(B) 4 percent shall be reserved for grants under subsection (c)(1)(B);

"(C) 5 percent shall be reserved for grants under subsection (c)(1)(C);

"(D) 6 percent shall be available for demonstration project grants under subsection (c)(2);

"(E) 6 percent, plus all amounts referred to in subparagraphs (A) through (D) of this paragraph that remain unused after all grant awards are made for the fiscal year, shall be available for the provision of technical assistance and associated staffing; and

"(F) 4 percent shall be available for studying the effects of the demonstration and non-demonstration projects for which a grant is made under this section, and for associated staffing, for the purpose of supporting the rigorous evaluation of the demonstration projects, and supporting the continued study of the short-, medium-, and long-term effects of all such projects, including the effectiveness of new or added elements of the non-demonstration projects.

"(j) NONAPPLICABILITY OF PRECEDING SECTIONS OF THIS SUBTITLE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the preceding sections of this subtitle shall not apply to a grant awarded under this section.

"(2) EXCEPTION FOR CERTAIN LIMITATIONS ON USE OF GRANTS.—Section 2005(a) (other than paragraphs (2), (3), (5), (6), and (8)) shall apply to a grant awarded under this section to the same extent and in the same manner as such section applies to payments to States under this subtitle.".

I. SUMMARY AND BACKGROUND

A. PURPOSE AND SUMMARY

H.R. 3398, the *Pathways to Health Careers Act* as amended and ordered favorably reported by the Committee on Ways and Means on October 22, 2019, reauthorizes and expands Health Profession Opportunity Grant (HPOG) demonstration projects and makes funding available to support additional competitive HPOG grants in states, tribal communities, and U.S. territories through 2025.

H.R. 3398 was introduced by Subcommittee on Worker and Family Support Chairman Danny K. Davis (D–IL) and incorporates through amendment to section 2008 of the Social Security Act a number of bills previously introduced as standalone measures. New subsection (a) of section 2008 of the Social Security Act, is based on H.R. 3338, the *Essential Skills and Child Care for Health Professions Act,* introduced by Rep. Judy Chu (D–CA); H.R. 3336, the *Demonstrating that Empowerment Makes Opportunities* (DEMO) Act, introduced by Rep. Danny Davis (D–IL); H.R. 3344, the *Opportunities to Support Mothers and Deliver Children Act,* introduced by Rep. Gwen Moore (D–WI); H.R. 3756, the *Pre-Apprenticeship Promotion Act,* introduced by Rep. Don Beyer (D–VA); and H.R. 3337, the *Labor Market Response Act,* introduced by Rep. Brendan Boyle (D–PA).

The bill also incorporates, as new subsection (b) of section 2008 of the Social Security Act, H.R. 3345, the *Making Opportunities Reachable for Everyone* (MORE) Act, introduced by Rep. Stephanie Murphy (D–FL); H.R. 3339, the *Mentoring and Supporting Families Act,* introduced by Rep. Dwight Evans (D–PA); and H.R. 3347, the *Rural Health Training Opportunities Act,* introduced by Rep. Terri Sewell (D–AL).

New subsection (c) is based on H.R. 3340, the *Tribal Healthcare Careers Act,* introduced by Rep. Jimmy Gomez (D–CA); H.R. 3335, the *Territory Health Revitalization Act,* introduced by Rep. Richard Neal (D–MA) and Rep. Jenniffer Gonzáles-Colón (R–PR); and H.R. 3823, the *Promoting Health Careers in Community and Technical Colleges Act,* introduced by Rep. Lloyd Doggett (D–TX).

New subsection (e) is based on H.R. 3343, the *Technical Assistance for Health Grants Act,* introduced by Rep. Dan Kildee (D–MI).

New subsection (f) incorporates H.R. 3767, *the Impacts and Outcomes for Health Career Training Act,* introduced by Rep. Brad Schneider (D–IL).

New subsection (g) incorporates H.R. 3346, the *Health Opportunities to Promote Equity Act,* introduced by Rep. Bill Pascrell (D–NJ).

New subsection (h) incorporates H.R. 3342, the *Health Providers Training Act,* introduced by Rep. Steven Horsford (D–NV) and H.R. 3341, the *Opioid Treatment Providers Act,* introduced by Rep. Brian Higgins (D–NY).

B. Background and Need for Legislation

The Bureau of Labor Statistics projects that the number of health sector jobs will grow three times faster than the economy as a whole over the next decade, and three of the six fastest growing occupations are allied health worker jobs.[1] As our population ages, there is a greater need for allied health workers to care for our seniors. Advances in medicine mean that more people are living longer while managing chronic illnesses, also increasing the demand for allied health workers. It is not only a shortage of doctors—there is also a shortage of nurses, nursing assistants, paramedics, home health aides, phlebotomists, X-ray technicians, and more. This healthcare professional shortage is a problem that will only get worse.

The current Health Profession Opportunity Grant (HPOG) program is a time-limited demonstration grant program testing a career pathways approach to job training for in-demand or worker shortage health professions. The HPOG model is intended to grow the pool of available workers by addressing barriers that may have prevented participants from taking advantage of traditional training programs. HPOG creates a training lattice to meet workers where they are and provide a meaningful and supportive pathway to a career as they work and earn credentials from progressively higher-level trainings. HPOG programs are means tested, and the training includes a mix of support services including child care, transportation, tuition and other financial assistance, career coaching, and job placement.[2]

The Administration for Children and Families at the U.S. Department of Health and Human Services (HHS) has administered the HPOG demonstration since 2010, and has awarded two rounds of five-year grants (HPOG 1.0 and 2.0), each evaluated in randomized controlled trials. The evaluations found strong positive outcomes associated with educational progress, employment outcomes, and earned income.[3] HHS is conducting follow-up evaluations of the HPOG 1.0 cohort to determine medium-term employment outcomes.

Current demonstration grantees include institutions of higher education, workforce development boards, state agencies, tribal organizations, or community-based organizations. Second-round grantees (HPOG 2.0) are currently entering the 5th year of a five-year grant award. Under current law, funding for the demonstration grants will expire on November 21, 2019, which is 10 months before the demonstration projects will be completed.[4]

In the demonstration projects, HPOG participants were predominantly low-income, single, working mothers of color, 48 percent of whom have a high school education or less.[5] Traditional training

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[1] Health Affairs Blog: Health Care Jobs Projected To Continue To Grow Far Faster Than Jobs In The General Economy, May 9, 2018.

[2] Section 2008 of the Social Security Act [42 USC Section 1397g].

[3] Pamela Loprest, Alan Werner, and Nathan Sick (2017). *Measuring Career Progress in the Health Profession Opportunity Grants (HPOG) 1.0 Program,* OPRE Report #2017–111, Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

[4] P.L. 116–59.

[5] Pamela Loprest and Nathan Sick. (2019). Health Profession Opportunity Grants 2.0: Year Three Annual Report (2017–18), OPRE Report # 2019–64. Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

programs often exclude these groups, or do not support their success, due to the lack of supportive services,[6] whereas HPOG is expressly designed to support their success. In a June 14 Committee hearing, Congressman Dwight Evans testified:

> They (HPOGs) also help diversify the health professions, which can lead to reducing disparities in health outcomes. . . The mentorship and career coaching components of the program are especially critical in helping individuals overcome their barriers. I have always been an outspoken supporter of mentoring. Not all of us grow up in the same communities, come from the same backgrounds, and are taught the same things through our upbringing. Mentoring is key to bridging the gaps we have in and across our communities, strengthening bonds, and ensuring that people can grow to reach their full potential, no matter where they come from.[7]

Early evaluations of HPOG 1.0 suggested that the programs succeeded in supporting participants in meeting their career goals: participation in an HPOG program not only increased training completion rates, but also the likelihood of being employed in a health profession upon graduation.[8] Furthermore, of those who gained health care employment, over 15 percent received a wage increase right away.[9] The majority of HPOG 1.0 participants were "nontraditional" postsecondary education students: the average student age was 32 years old, and most were single women raising one or more children. Nearly half of HPOG 1.0 participants were already employed upon enrollment in HPOG training but needed jobs that would move them out of poverty.[10] These findings are illustrative of the ways in which HPOG is providing opportunities for hardworking families not only to meet their career goals but also to support their family economic mobility goals.

HPOG 2.0 is scheduled to run from FY2015–FY2020 and is building upon the lessons from the first HPOG 1.0 demonstration round. In just the first three years of HPOG 2.0, federally funded evaluations found very high training retention rates (88 percent), high rates of acquiring certifications or credentials (67 percent) and high rates of employment and progression in health fields (three fifths started a health care job or were promoted within a health care job, and one fourth made career progress beyond getting a

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[6] Institute for Women's Policy Research (2017). Getting to the Finish Line: The Availability and Impact of Supportive Services in the Workforce Development System. IWPR Report #C453. Washington, DC.

[7] Member Day Hearing: Hearings before the Committee on Ways and Means, House of Representatives, 116th Congress (June 4, 2019) *https://waysandmeans.house.gov/sites/democrats.waysandmeans.house.gov/files/documents/Transcript* 2.pdf

[8] Peck, Laura R., Alan Werner, Eleanor Harvill, Daniel Litwok, Shawn Moulton, Alyssa Rulf Fountain, and Gretchen Locke. (2018). *Health Profession Opportunity Grants (HPOG 1.0) Impact Study Interim Report: Program Implementation and Short-Term Impacts,* OPRE Report 2018–16a. Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

[9] Walton, Douglas, Eleanor L. Harvill, and Laura R. Peck (2019). *Which Program Characteristics Are Linked to Program Impacts? Lessons from the HPOG 1.0 Evaluation.* OPRE Report 201951, Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

[10] Peck, Laura R., Alan Werner, Eleanor Harvill, Daniel Litwok, Shawn Moulton, Alyssa Rulf Fountain, and Gretchen Locke. (2018). *Health Profession Opportunity Grants (HPOG 1.0) Impact Study Interim Report: Program Implementation and Short-Term Impacts,* OPRE Report 2018–16a. Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

first job, within just the first three years).[11] HPOG 2.0 grantees also had high rates of success with participants with very low initial levels of education; of those who needed basic skills training, 92 percent completed or are still enrolled in training, and more than three-fourths moved on to health profession training.[12]

The demonstration projects have shown that HPOG can be part of the solution to workforce shortages. In a letter to the Committee, Steady H. Moono, the President of SUNY Schenectady Community College, an HPOG demonstration grantee, noted:

> The HPOG program is critical to connecting our employers with talent that may have been overlooked in the past but is not necessarily any less successful than any other trained individual. As our region's unemployment rate continues to decline, our healthcare providers struggle to find qualified and trained applicants to fill critical positions.[13]

HPOG demonstrations have also been effective in rural areas, which struggle to find qualified workers. As the Central Community College HPOG grantee in rural Nebraska said, "This HPOG program is a win-win for participants and employers. It opens doors to stable healthcare careers while producing well trained applicants who are ready to fill critical job openings."[14]

Legislation is needed to avoid terminating the current demonstration projects prematurely, and to allow HHS to continue following the HPOG 1.0 and HPOG 2.0 cohorts, to determine long-term employment outcomes.

Legislation is also needed to make this research-tested approach available to more workers and communities. Because it is structured as a demonstration project, there are currently only 32 HPOG programs serving approximately 15,000 individuals. Communities across the United States, including tribal communities and the U.S. Territories, could benefit from locally-administered grants using this proven and effective model to help workers and address the health worker shortage. We also can further build on our research investment by testing variations of this proven model for other career pathways and beneficiary populations and continuing to follow current and future HPOG beneficiaries and refine the model.

C. Legislative History

BACKGROUND

H.R. 3398, the Pathways to Health Careers Act, was introduced on June 21, 2019, by Congressman Danny K. Davis, and was referred to the Committee on Ways and Means.

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[11] Pamela Loprest and Nathan Sick. (2019). *Health Profession Opportunity Grants 2.0: Year Three Annual Report (2017–18),* OPRE Report # 2019–64. Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

[12] Pamela Loprest and Nathan Sick. (2019). *Health Profession Opportunity Grants 2.0: Year Three Annual Report (2017–18),* OPRE Report # 2019–64. Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

[13] Letter from Steady H. Moono to Chairman Richard E. Neal and Ranking Member Kevin Brady, August 7, 2019.

[14] *HPOG Promising Practice: Central Community College, Employment Strategies,* published on the Administration for Children and Families website July 1, 2019.

COMMITTEE HEARINGS

On March 7, 2019 the Ways and Means Subcommittee on Worker and Family Support held a hearing entitled "Leveling the Playing Field for Working Families: Challenges and Opportunities" which focused on ways to better support workers and their families. Members and witnesses discussed the critical role of child care, as well as the bundling of training and work supports.

On May 16, 2019 the Ways and Means Committee held a hearing entitled "Overcoming Racial Disparities and Social Determinants in the Maternal Mortality Crisis," in which Members and witnesses discussed the need to increase the supply of diverse, well-trained pregnancy and birth healthcare workers.

On June 4, 2019 the Ways and Means Committee held a Member Day hearing, at which Congressman Dwight Evans testified in support of building on HPOG success and his bill, H.R. 3339, the *Mentoring and Supporting Families Act,* which is fully incorporated within H.R. 3398.

On June 11, 2019 the Ways and Means Subcommittee on Worker and Family Support held a hearing entitled "Celebrating Fathers and Families: Federal Support for Responsible Fatherhood," in which Members and witnesses discussed effective approaches to helping incarcerated individuals and those with arrest or conviction records to enter, reenter, and stay in the workforce.

COMMITTEE ACTION

The Committee on Ways and Means marked up H.R. 3398, the Pathways to Health Careers Act on October 22, 2019. The bill, as amended, was ordered favorably reported to the House of Representatives (with a quorum being present) by a vote of 24 yeas and 16 nays.

II. EXPLANATION OF THE BILL

A. The Pathways to Health Careers Act

CURRENT LAW

Under section 2008 of the Social Security Act, the U.S. Department of Health and Human Services, in consultation with the U.S. Department of Education, is authorized to use up to $85 million per year to award demonstration grants to states, federally recognized Indian tribes or tribal organizations, institutions of higher education, local workforce development boards, apprenticeship programs, or community-based organizations, for the purpose of providing low-income individuals, including recipients of Temporary Assistance for Needy Families cash benefits, with the training and support needed to enter and advance in health professions.

The funding authorization expires on November 22, 2019. [15]

REASONS FOR CHANGE

The Committee believes that after 10 years of rigorously evaluating Health Profession Opportunity Grant (HPOG) demonstration projects, we have identified an approach that is effective in moving

[15] Section 2008 of the Social Security Act.

low-income parents, even those with barriers to work, into health professions which are in-demand or experiencing worker shortages. Given the number of Americans in need of better jobs and the growing shortage of qualified health workers in many communities and for many specific types of needed health care, the Committee seeks to ensure that the proven HPOG model can be made available and accessible to Americans seeking opportunities in all 50 states, the District of Columbia, the U.S. Territories, and in tribal communities. The Committee also seeks to continue to refine this effective approach and test it with additional populations that might benefit.

EXPLANATION OF PROVISIONS

Sec. 1. Short title

This section provides the bill title, "Pathways to Health Careers Act".

Sec. 2. Extension through fiscal year 2020 of funding for demonstration projects to address health professions workforce needs

This section extends existing Health Profession Opportunity Grant (HPOG) policy and funding until September 30, 2020, to finish the current demonstration grant cycle. It also provides an additional $15 million for fiscal year 2020 for technical assistance and administrative costs associated with implementing the HPOG grants outlined in the rest of the bill.

Sec. 3. Career pathways through health profession opportunity grants

This section revises section 2008 of the Social Security Act to provide for HPOG competitive grants, beginning in FY 2021, in all 50 states, the District of Columbia, U.S. territories, and tribal communities, and to authorize specific new demonstration grants.

If there are sufficient qualified applicants for competitive grants, the Secretary is required to award at least two grants in each state and the District of Columbia; at least 10 grants to federally recognized Indian tribes, tribal organizations, or tribal colleges or universities; and at least two grants to applicants in U.S. territories. The Secretary has discretion to not award grants, if there are not enough qualified applicants, but must report to Congress on the reason grants were not made. The Committee does not consider grants to federally recognized Indian tribes, tribal organizations, and tribal colleges and universities geographically located within states to fulfill the two per state requirement.

This section also authorizes two new HPOG demonstration projects: a project to test the HPOG approach for individuals with arrest or conviction records, and a project to test the HPOG approach for a pregnancy and birth career pathway.

The following description reflects the new subsections of section 2008 of the Social Security Act as modified by H.R. 3398.

Subsection (a). Application requirements

This subsection describes grant requirements applicable to all grants (competitive and demonstration) and also outlines additional requirements which apply only to specific demonstration projects.

The subsection requires all grant applications to include a career pathways approach, as well as plans to address participant basic skills and work readiness, provide training for in-demand or shortage health professions, case management and career coaching, and job placement and post-employment support.

Applicants for both types of grants must certify that they will provide access to child care and transportation for participants, if needed, have experience working with low-income populations, have considered apprenticeship models, and base their approach on labor market data which shows job shortages or the availability of in-demand jobs. Grantees are required to review their state's workforce development plan and consult with their local workforce development board, but they do not need to receive approval from them to submit the application. Further, if a stipend is a part of the applicant's model, they must also include a plan for calculating and distributing the living expenses stipend.

The applicant is required to provide a certification, all data requested by the Secretary of HHS, and ensure a Director is in place for the project by the end of the planning period.

Subsection (a) also includes the following additional grant requirements which apply only to specific demonstration projects. They include the following:

Arrest or Conviction Record demonstration projects must sufficiently research and understand local laws and restrictions to ensure that state and local laws provide a way for people with arrest or conviction records to receive credentials and licenses needed for the career, including provisions in law that allow people with disqualifying convictions to appeal, obtain waivers or certificates, or produce evidence of rehabilitation that provide relief from statutory barriers. State laws that include discretionary denials of certifications and licensure based solely, or in part, on criminal history for healthcare occupations should not preclude applicants from competition if applicants can provide information regarding the opportunities in state licensure and certification processes to provide mitigating and rehabilitative evidence to document a realistic pathway to the specified career. Applications should include a commitment from stakeholder partners to work toward fair hiring practices that follow Title VII of the Civil Rights Act of 1964 and should tailor their proposed program to meet the needs of the community. For the purposes of this demonstration, public prisons and juvenile justice systems could be considered appropriate state agency partners. Qualified applicants for this demonstration must also have project staff with experience working with individuals who have arrest or conviction records, or, working with employers with experience working with people with arrest or conviction records, as well as a plan for participant recruitment.

Pregnancy and Birth demonstration projects must have partnerships and a program design that will support a career pathway in pregnancy, birth, or post-partum services and conduct the demonstration in a jurisdiction where state and local laws recognize doulas and midwives. Grantees should train for a variety of credentials and roles within the pregnancy, birth, and post-partum field, which does not require nor presume that such roles require a Registered Nursing degree nor a Bachelor-prepared credential. The definition of "allied health" as included in the definitions sub-

section of the bill is intended to include nurse midwives in addition to other midwives that are not nurses and that are not bachelor-prepared, as well as other professions that are considered part of the pregnancy and birth and post-partum career pathway, including, but not limited to, lactation support specialists and community health workers. The Committee intends all HPOG program graduates under this new demonstration project to meet the rigorous training requirements for standard industry-recognized credentials, while also recognizing tribal sovereignty and cultural and religious doula and midwife practices in tribal communities. This demonstration is not excluded from Congressional expectation that HPOG program graduates, including those in the doula and midwife field, are employed in states and settings where they may bill their services to public and/or private health insurances.

Subsection (b). Preferences in considering applications

This subsection gives preference in awarding competitive grants to applicants who were prior HPOG grantees: applicants who partner with employers, state and local government agencies, labor organizations, and education and training providers (including workforce development boards, apprenticeship programs, and institutions of higher education); applicants that provide career coaching, mentoring, and peer support; applicants that serve rural areas; and applicants that plan to provide a stipend for living expenses, or have a reserve fund to help participants with emergencies that might otherwise force them to drop out of training.

Subsection (c). Grants

This subsection authorizes the Secretary of HHS, in consultation with the Secretary of Labor and the Secretary of Education (and, in the case of Arrest or Conviction Record demonstrations, the Attorney General) to award HPOG grants, guarantees each demonstration project at least 25 percent of funds provided for HPOG demonstration projects, and specifies a grant cycle of not less than five years, where the first year may be a planning period with a reduced funding amount determined by the HHS Secretary, who also has overall discretion in determining grant size. It is the Committee's expectation that the Secretary will continue to delegate this responsibility to the Office of Family Assistance, which will work with the Office of Planning, Research, and Evaluation within the Administration of Children and Families.

Subsection (d). Use of grant

Subsection (d) describes services and supports that are required under all grants, and also supports that are allowed, but not required to be provided, and how those supports interact with other benefit programs. It also sets beneficiary eligibility criteria.

Support services that are required to be available in all HPOG-grant-funded programs if needed, include basic skills assessment and basic skills education (if necessary); guaranteed access to child care, either via referral, partial subsidy, or direct support; case management plans that include career coaching, with the option to offer appropriate peer support and mentoring opportunities to develop soft skills and social capital; and ensuring access to transportation (including public transit or gas for a personal vehicle).

Transportation subsidies are not limited to a specific mode, as modes of transportation may evolve and change over time. For the demonstration for individuals with arrest or conviction records, grantees are required to facilitate access to legal assistance for participants, for the purpose of addressing arrest or conviction records and associated workforce barriers and increasing the accessibility of specific career pathways, including assisting individuals with certificates, waiver and licensing applications, sealing or expungement of arrest and conviction records, or other relevant legal services. All grantees are also required to provide at least the number of hours of training required for certification in the state in which the project is conducted, or, if there is no requirement, a number of hours set by HHS.

Supports that are allowable but not required uses of grant funding include: a stipend for living expenses that is at least monthly; a reserve fund to provide financial assistance to participants in emergency situations; tuition and training materials such as uniforms, shoes, and hair nets; in-kind resource donations such as interview clothing and conference attendance fees; costs related to basic education or a high school equivalency education; legal assistance or other support necessary to address arrest or conviction record barriers to work and facilitate entrance into career pathways; and other support services as deemed necessary for family wellbeing, success in the project, and progress toward career goals.

This subsection specifies that HPOG services do not count as income for the purposes of other federal benefits which use a means test for eligibility.

Grantees are only allowed to serve individuals who are low-income at the time of enrollment, but the Committee expects that many individuals will increase their income as they progress along a career pathway in the program and will remain eligible for services for the duration of the program. Grantees are also required to ensure that at least 10 percent of individuals served by their grant meet the income eligibility requirements of the state TANF program upon enrollment in the HPOG program, or are non-custodial parents of children who meet the state program eligibility requirements at the time of enrollment in the HPOG program.

This subsection also prohibits the use of grant funds for entertainment, but provides a limited exception for career coaching and case management services that include family-oriented celebrations of specific career milestones attained by participants.

Subsection (e). Technical assistance

This subsection requires the Secretary of HHS to provide technical assistance to grantees and potential grantees to assist in applying for grants, operating grants, and reporting data or evaluating grants. The subsection requires HHS to provide assistance tailored to meet the specific needs of Indian tribes, tribal organizations, tribal colleges and universities, U.S. territories, and demonstration project grantees. It also requires HHS to continue holding an annual technical assistance conference to facilitate exchange of information regarding best practices and promising practices among current and former grantees. The technical assistance services will assist in continuing to refine the effectiveness of the HPOG approach, test variations on the model, and encouraged con-

tinued innovation, so will be coordinated with evaluation services, as HHS works with new demonstration projects and continues to study impacts and outcomes of ongoing HPOG programs no longer participating in randomized controlled trials.

Subsection (f). Evaluation of demonstration projects

This subsection requires HHS to conduct rigorous and well-designed evaluations of the demonstration projects, by grant, contract, or interagency agreement, and specifies that the evaluation does not have to be a randomized controlled trial. It also provides for ongoing research on long-term effects of past HPOG demonstrations. These evaluations should include study of the impact of cash stipends, regardless of the size or frequency of the stipend.

Subsection (g). Reports

This subsection requires grantees to report data on participant outcomes related to earnings, employment in health professions, graduate rate, graduation timeliness, credential attainment, participant demographics, and other data specified by the Secretary of HHS.

The subsection also requires HHS to submit a once-per-Congress report to the House Committee on Ways and Means and the Senate Finance Committee on characteristics of and outcomes for participants served by the awarded projects, best practices and promising practices, and technical assistance provided to grantees, as well as an assessment of the effectiveness of the projects in addressing health professions workforce shortages or in-demand jobs. The report must include a separate statement summarizing the number of rural applicants and rural awards, and, if the agency was not able to award the required number of grants to states, territories, and tribal communities, the reason why not.

Subsection (h). Definitions

This subsection describes entities eligible for grants and provides other definitions of terms used in the Act. Entities eligible for grants include local workforce development boards; states, county, and local governments or agencies; Indian tribes, tribal organizations, and tribal colleges and universities; hospitals; high-quality skilled nursing facilities; federally-qualified health centers; nonprofits, labor organizations, and labor-management partnerships; and addiction treatment providers which the Secretary determined were high quality and provided comprehensive addiction treatment. Inclusion on the eligible entity list does not entitle any applicant to a grant. The Secretary has discretion to determine whether any individual entity is fully equipped to be a primary grantee of this supportive job training program.

Subsection (i). Funding

This subsection provides $425 million for each of fiscal years 2021 through 2025. Of those amounts, 75 percent is for general competitive grants, 4 percent is reserved for grants to tribes, tribal organizations, tribal colleges and universities, 5 percent is reserved for grants to territories, 6 percent is reserved for demonstration projects, 6 percent plus any unspent funds from the other reserva-

tions is reserved for technical assistance, and 4 percent is reserved for evaluations and associated staffing.

Subsection (j). Non-applicability of preceding section of this subtitle

This subsection specifies that some uses of funding which are otherwise prohibited for states within Subtitle A of Title XX are allowable in the HPOG program.

III. VOTES OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means during the markup consideration of H.R. 3398, the "Pathways to Health Careers Act of 2019" on October 22, 2019.

A roll call vote was conducted on the following amendments to the Chairman's Amendment in the Nature of a Substitute.

An amendment to the amendment in the nature of a substitute offered by Mr. Smith (NE) was ruled nongermane. Mr. Smith moved to appeal the ruling of the Chair and Mr. Thompson moved to table the appeal. Mr. Thompson's motion to table the appeal of the ruling of the chair was agreed to by a vote of 24 yeas to 15 nays. The vote was as follows.

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Neal	X			Mr. Brady		X	
Mr. Lewis	X			Mr. Nunes			
Mr. Doggett	X			Mr. Buchanan		X	
Mr. Thompson	X			Mr. Smith		X	
Mr. Larson	X			Mr. Marchant		X	
Mr. Blumenauer	X			Mr. Reed			
Mr. Kind	X			Mr. Kelly		X	
Mr. Pascrell	X			Mr. Holding		X	
Mr. Davis	X			Mr. Smith		X	
Ms. Sanchez	X			Mr. Rice		X	
Mr. Higgins	X			Mr. Schweikert		X	
Ms. Sewell				Ms. Walorski		X	
Ms. Delbene	X			Mr. Lahood (IL)		X	
Ms. Chu (CA)	X			Mr. Wenstrup		X	
Ms. Moore	X			Mr. Arrington		X	
Mr. Kildee	X			Mr. Ferguson		X	
Mr. Boyle	X			Mr. Estes		X	
Mr. Beyer	X						
Mr. Evans	X						
Mr. Schneider	X						
Mr. Suozzi	X						
Mr. Panetta	X						
Ms. Murphy	X						
Mr. Gomez	X						
Mr. Horsford	X						

An amendment to the amendment in the nature of a substitute that would dedicate funding above $85 million per year to "pay for outcomes" financing structures was offered by Ms. Walorski. The amendment was defeated by a roll call vote of 24 nays to 16 yeas. The vote was as follows.

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Neal		X		Mr. Brady	X		
Mr. Lewis		X		Mr. Nunes			

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Doggett		X		Mr. Buchanan	X		
Mr. Thompson		X		Mr. Smith	X		
Mr. Larson		X		Mr. Marchant	X		
Mr. Blumenauer		X		Mr. Reed	X		
Mr. Kind		X		Mr. Kelly	X		
Mr. Pascrell		X		Mr. Holding	X		
Mr. Davis		X		Mr. Smith	X		
Ms. Sanchez		X		Mr. Rice	X		
Mr. Higgins		X		Mr. Schweikert	X		
Ms. Sewell				Ms. Walorski	X		
Ms. Delbene		X		Mr. Lahood (IL)	X		
Ms. Chu (CA)		X		Mr. Wenstrup	X		
Ms. Moore		X		Mr. Arrington	X		
Mr. Kildee		X		Mr. Ferguson	X		
Mr. Boyle		X					
Mr. Estes	X						
Mr. Beyer		X					
Mr. Evans		X					
Mr. Schneider		X					
Mr. Suozzi		X					
Mr. Panetta		X					
Ms. Murphy		X					
Mr. Gomez		X					
Mr.Horsford		X					

An amendment to the amendment in the nature of a substitute that would give priority to grants that include direct involvement of employers in the development of training and grants that use earn and learn models was offered by Mr. LaHood. The amendment was defeated by a roll call vote of 24 nays to 16 yeas. The vote was as follows.

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Neal		X		Mr. Brady	X		
Mr. Lewis		X		Mr. Nunes			
Mr. Doggett		X		Mr. Buchanan	X		
Mr. Thompson		X		Mr. Smith	X		
Mr. Larson		X		Mr. Marchant	X		
Mr. Blumenauer		X		Mr. Reed	X		
Mr. Kind		X		Mr. Kelly	X		
Mr. Pascrell		X		Mr. Holding	X		
Mr. Davis		X		Mr. Smith	X		
Ms. Sanchez		X		Mr. Rice	X		
Mr. Higgins		X		Mr. Schweikert	X		
Ms. Sewell				Ms. Walorski	X		
Ms. Delbene		X		Mr. Lahood (IL)	X		
Ms. Chu (CA)		X		Mr. Wenstrup	X		
Ms. Moore		X		Mr. Arrington	X		
Mr. Kildee		X		Mr. Ferguson	X		
Mr. Boyle		X		Mr. Estes	X		
Mr. Beyer		X					
Mr. Evans		X					
Mr. Schneider		X					
Mr. Suozzi		X					
Mr. Panetta		X					
Ms. Murphy		X					
Mr. Gomez		X					
Mr. Horsford		X					

The amendment in the nature of a substitute to H.R. 3398 was adopted by voice vote (with a quorum being present).

The bill, H.R. 3398, was ordered favorably reported to the House of Representatives as amended, by a roll call vote of 24 yeas to 16 nays. The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Neal	X			Mr. Brady		X	
Mr. Lewis	X			Mr. Nunes			
Mr. Doggett	X			Mr. Buchanan		X	
Mr. Thompson	X			Mr. Smith		X	
Mr. Larson	X			Mr. Marchant		X	
Mr. Blumenauer	X			Mr. Reed		X	
Mr. Kind	X			Mr. Kelly		X	
Mr. Pascrell	X			Mr. Holding		X	
Mr. Davis	X			Mr. Smith		X	
Ms. Sanchez	X			Mr. Rice		X	
Mr. Higgins	X			Mr. Schweikert		X	
Ms. Sewell				Ms. Walorski		X	
Ms. Delbene	X			Mr. Lahood (IL)		X	
Ms. Chu (CA)	X			Mr. Wenstrup		X	
Ms. Moore	X			Mr. Arrington		X	
Mr. Kildee	X			Mr. Ferguson		X	
Mr. Boyle	X			Mr. Estes		X	
Mr. Beyer	X						
Mr. Evans	X						
Mr. Schneider	X						
Mr. Suozzi	X						
Mr. Panetta	X						
Ms. Murphy	X						
Mr. Gomez	X						
Mr. Horsford	X						

IV. BUDGET EFFECTS OF THE BILL

A. Committee Estimate of Budgetary Effects

In compliance with clause 3(d) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the effects on the budget of the bill, H.R. 3398, as reported. The Committee agrees with the estimate prepared by the Congressional Budget Office (CBO), which is included below.

B. Statement Regarding New Budget Authority

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee states that the bill provides new budget authority, as described in the estimate from the Congressional Budget Office. The Committee states further that the bill involves no new or increased tax expenditures.

C. Cost Estimate Prepared by the Congressional Budget Office

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, requiring a cost estimate prepared by the CBO, the following statement by CBO is provided.

U.S. Congress,
Congressional Budget Office,
Washington, DC, October 25, 2019.

Hon. Richard Neal,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3398, the Pathways to Health Careers Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jennifer Gray.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 3398, Pathways to Health Careers Act
As ordered reported by the House Committee on Ways and Means on October 22, 2019

By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	2	900	2,201
Revenues	0	0	0
Increase in the Deficit	2	900	2,201
Spending Subject to Appropriation (Outlays)	0	0	0

Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	< $5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 3398 would reauthorize and amend the Health Profession Opportunity Grants (HPOG) program and would provide $100 million in 2020—$85 million for the grant program and $15 million for administrative costs and technical assistance related to the expansion of the program. Beginning in 2021, the bill would expand the program and would provide $425 million for each year from 2021 through 2025. The expanded program would provide grants to:

- Train low-income individuals for careers in the health professions,
- Create demonstration projects to train individuals for careers in the pregnancy, childbirth, or postpartum fields, and
- Create demonstration projects to provide education and training in the health professions for individuals with arrest or conviction records.

For this estimate, CBO assumes that H.R. 3398 will be enacted around the end of 2019. Section 1501 of the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Public Law 116–59) reauthorized HPOG through November 21, 2019, which CBO estimated would provide $12 million in 2020. Thus, CBO estimates that in 2020, enacting H.R. 3398 would increase budget authority by $73 million for the grant program—$85 million in the bill minus the $12 million already provided—and $15 million for administrative expenses. (The bill specifies that amounts provided for HPOG in any prior act be charged to the appropriation in H.R. 3398.)

Estimated outlays for the program in 2020 are based on historical spending patterns and are net of the outlays CBO estimated for section 1501 of P.L. 116–59. Beginning in 2021, CBO expects that the rate of spending would slow relative to historical spending patterns because of the program expansion. CBO estimates that enacting the bill would cost $2.2 billion over the 2020–2029 period.

The costs of the legislation fall within budget function 500 (education, training, employment, and social services.)

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1.

TABLE 1.—CBO'S ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS OF H.R. 3398

	By fiscal year, millions of dollars—											
	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2020–2024	2020–2029
Estimated Budget Authority	88	425	425	425	425	425	0	0	0	0	1,788	2,213
Estimated Outlays	2	57	169	298	374	417	412	285	136	51	900	2,201

CBO estimates that enacting H.R. 3398 would not increase on-budget deficits by more than $5 billion in any of the four consecutive 10-year periods beginning in 2030.

The CBO staff contact for this estimate is Jennifer Gray. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

V. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. Committee Oversight Findings and Recommendations

With respect to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee made findings and recommendations that are reflected in this report.

B. Statement of General Performance Goals and Objectives

With respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the objective of the bill is to improve employment outcomes for low-income people while also increasing the size of the trained healthcare workforce in targeted communities. The legislation requires grantees to report participant outcomes related to earnings, employment in health professions, graduation rate and timeliness, and credential attainment to the Secretary of Health and Human Services, and requires the Secretary to report those and other outcomes to the Committee on Ways and Means and the Senate Finance Committee once per Congress.

C. Information Relating to Unfunded Mandates

This information is provided in accordance with Sec.423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104–4).

The Committee has determined that the bill does not contain Federal mandates on the private sector. The Committee has determined that the bill does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

D. Congressional Earmarks, Limited Tax Benefits, and Limited Tariff Benefits

With respect to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the bill, and states that the provisions of the bill do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

E. Duplication of Federal Programs

With respect to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that the bill does not duplicate any other federal program.

F. Hearings

In compliance with Sec.103(i) of H.Res. 6 (116th Congress) the following hearings were used to develop or consider H.R. 3398: "Leveling the Playing Field for Working Families: Challenges and Opportunities," held March 7, 2019; "Overcoming Racial Disparities and Social Determinants in the Maternal Mortality Crisis," held May 16, 2019; "Member Day," held June 4, 2019; "Celebrating Fathers and Families: Federal Support for Responsible Fatherhood," held June 11, 2019; and described in the legislative history section.

VI. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e)(1)(B) of rule XIII of the Rules of the House of Representatives, changes in existing law proposed by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

SOCIAL SECURITY ACT

TITLE XX—BLOCK GRANTS AND PROGRAMS FOR SOCIAL SERVICES AND ELDER JUSTICE

* * * * * * *

Subtitle A—Block Grants to States for Social Services

* * * * * * *

SEC. 2008. DEMONSTRATION PROJECTS TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.

(a) DEMONSTRATION PROJECTS TO PROVIDE LOW-INCOME INDIVIDUALS WITH OPPORTUNITIES FOR EDUCATION, TRAINING, AND CAREER ADVANCEMENT TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.—

(1) AUTHORITY TO AWARD GRANTS.—The Secretary, in consultation with the Secretary of Labor, shall award grants to eligible entities to conduct demonstration projects that are designed to provide eligible individuals with the opportunity to obtain education and training for occupations in the health care field that pay well and are expected to either experience labor shortages or be in high demand.

(2) REQUIREMENTS.—

(A) AID AND SUPPORTIVE SERVICES.—

(i) IN GENERAL.—A demonstration project conducted by an eligible entity awarded a grant under this section shall, if appropriate, provide eligible individuals participating in the project with financial aid, child care, case management, and other supportive services.

(ii) TREATMENT.—Any aid, services, or incentives provided to an eligible beneficiary participating in a demonstration project under this section shall not be considered income, and shall not be taken into account for purposes of determining the individual's eligibility for, or amount of, benefits under any means-tested program.

(B) CONSULTATION AND COORDINATION.—An eligible entity applying for a grant to carry out a demonstration project under this section shall demonstrate in the application that the entity has consulted with the State agency responsible for administering the State TANF program, the local workforce investment board in the area in which the project is to be conducted (unless the applicant is such board), the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act, and the State Apprenticeship Agency recognized under the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act") (or if no agency has been recognized in the State, the Office of Apprenticeship of the Department of Labor) and that the project will be carried out in coordination with such entities.

(C) ASSURANCE OF OPPORTUNITIES FOR INDIAN POPULATIONS.—The Secretary shall award at least 3 grants under this subsection to an eligible entity that is an Indian tribe, tribal organization, or Tribal College or University.

(3) REPORTS AND EVALUATION.—

(A) ELIGIBLE ENTITIES.—An eligible entity awarded a grant to conduct a demonstration project under this subsection shall submit interim reports to the Secretary on the activities carried out under the project and a final report on such activities upon the conclusion of the entities' participation in the project. Such reports shall include assessments of the effectiveness of such activities with respect to improving outcomes for the eligible individuals

participating in the project and with respect to addressing health professions workforce needs in the areas in which the project is conducted.

(B) EVALUATION.—The Secretary shall, by grant, contract, or interagency agreement, evaluate the demonstration projects conducted under this subsection. Such evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals and other entry-level workers, a health professions workforce that has accessible entry points, that meets high standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the workforce's needs.

(C) REPORT TO CONGRESS.—The Secretary shall submit interim reports and, based on the evaluation conducted under subparagraph (B), a final report to Congress on the demonstration projects conducted under this subsection.

(4) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ENTITY.—The term "eligible entity" means a State, an Indian tribe or tribal organization, an institution of higher education, a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act, a sponsor of an apprenticeship program registered under the National Apprenticeship Act or a community-based organization.

(B) ELIGIBLE INDIVIDUAL.—

(i) IN GENERAL.—The term "eligible individual" means a individual receiving assistance under the State TANF program.

(ii) OTHER LOW-INCOME INDIVIDUALS.—Such term may include other low-income individuals described by the eligible entity in its application for a grant under this section.

(C) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms "Indian tribe" and "tribal organization" have the meaning given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(D) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(E) STATE.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa.

(F) STATE TANF PROGRAM.—The term "State TANF program" means the temporary assistance for needy families program funded under part A of title IV.

(G) TRIBAL COLLEGE OR UNIVERSITY.—The term "Tribal College or University" has the meaning given that term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

(b) DEMONSTRATION PROJECT TO DEVELOP TRAINING AND CERTIFICATION PROGRAMS FOR PERSONAL OR HOME CARE AIDES.—

(1) AUTHORITY TO AWARD GRANTS.—Not later than 18 months after the date of enactment of this section, the Secretary shall award grants to eligible entities that are States to conduct demonstration projects for purposes of developing core training competencies and certification programs for personal or home care aides. The Secretary shall—

(A) evaluate the efficacy of the core training competencies described in paragraph (3)(A) for newly hired personal or home care aides and the methods used by States to implement such core training competencies in accordance with the issues specified in paragraph (3)(B); and

(B) ensure that the number of hours of training provided by States under the demonstration project with respect to such core training competencies are not less than the number of hours of training required under any applicable State or Federal law or regulation.

(2) DURATION.—A demonstration project shall be conducted under this subsection for not less than 3 years.

(3) CORE TRAINING COMPETENCIES FOR PERSONAL OR HOME CARE AIDES.—

(A) IN GENERAL.—The core training competencies for personal or home care aides described in this subparagraph include competencies with respect to the following areas:

(i) The role of the personal or home care aide (including differences between a personal or home care aide employed by an agency and a personal or home care aide employed directly by the health care consumer or an independent provider).

(ii) Consumer rights, ethics, and confidentiality (including the role of proxy decision-makers in the case where a health care consumer has impaired decision-making capacity).

(iii) Communication, cultural and linguistic competence and sensitivity, problem solving, behavior management, and relationship skills.

(iv) Personal care skills.

(v) Health care support.

(vi) Nutritional support.

(vii) Infection control.

(viii) Safety and emergency training.

(ix) Training specific to an individual consumer's needs (including older individuals, younger individuals with disabilities, individuals with developmental disabilities, individuals with dementia, and individuals with mental and behavioral health needs).

(x) Self-Care.

(B) IMPLEMENTATION.—The implementation issues specified in this subparagraph include the following:

(i) The length of the training.

(ii) The appropriate trainer to student ratio.

(iii) The amount of instruction time spent in the classroom as compared to on-site in the home or a facility.

(iv) Trainer qualifications.

(v) Content for a "hands-on" and written certification exam.

(vi) Continuing education requirements.

(4) APPLICATION AND SELECTION CRITERIA.—

(A) IN GENERAL.—

(i) NUMBER OF STATES.—The Secretary shall enter into agreements with not more than 6 States to conduct demonstration projects under this subsection.

(ii) REQUIREMENTS FOR STATES.—An agreement entered into under clause (i) shall require that a participating State—

(I) implement the core training competencies described in paragraph (3)(A); and

(II) develop written materials and protocols for such core training competencies, including the development of a certification test for personal or home care aides who have completed such training competencies.

(iii) CONSULTATION AND COLLABORATION WITH COMMUNITY AND VOCATIONAL COLLEGES.—The Secretary shall encourage participating States to consult with community and vocational colleges regarding the development of curricula to implement the project with respect to activities, as applicable, which may include consideration of such colleges as partners in such implementation.

(B) APPLICATION AND ELIGIBILITY.—A State seeking to participate in the project shall—

(i) submit an application to the Secretary containing such information and at such time as the Secretary may specify;

(ii) meet the selection criteria established under subparagraph (C); and

(iii) meet such additional criteria as the Secretary may specify.

(C) SELECTION CRITERIA.—In selecting States to participate in the program, the Secretary shall establish criteria to ensure (if applicable with respect to the activities involved)—

(i) geographic and demographic diversity;

(ii) that participating States offer medical assistance for personal care services under the State Medicaid plan;

(iii) that the existing training standards for personal or home care aides in each participating State—

(I) are different from such standards in the other participating States; and

(II) are different from the core training competencies described in paragraph (3)(A);

(iv) that participating States do not reduce the number of hours of training required under applicable

State law or regulation after being selected to participate in the project; and

(v) that participating States recruit a minimum number of eligible health and long-term care providers to participate in the project.

(D) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States in developing written materials and protocols for such core training competencies.

(5) EVALUATION AND REPORT.—

(A) EVALUATION.—The Secretary shall develop an experimental or control group testing protocol in consultation with an independent evaluation contractor selected by the Secretary. Such contractor shall evaluate—

(i) the impact of core training competencies described in paragraph (3)(A), including curricula developed to implement such core training competencies, for personal or home care aides within each participating State on job satisfaction, mastery of job skills, beneficiary and family caregiver satisfaction with services, and additional measures determined by the Secretary in consultation with the expert panel;

(ii) the impact of providing such core training competencies on the existing training infrastructure and resources of States; and

(iii) whether a minimum number of hours of initial training should be required for personal or home care aides and, if so, what minimum number of hours should be required.

(B) REPORTS.—

(i) REPORT ON INITIAL IMPLEMENTATION.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to Congress a report on the initial implementation of activities conducted under the demonstration project, including any available results of the evaluation conducted under subparagraph (A) with respect to such activities, together with such recommendations for legislation or administrative action as the Secretary determines appropriate.

(ii) FINAL REPORT.—Not later than 1 year after the completion of the demonstration project, the Secretary shall submit to Congress a report containing the results of the evaluation conducted under subparagraph (A), together with such recommendations for legislation or administrative action as the Secretary determines appropriate.

(6) DEFINITIONS.—In this subsection:

(A) ELIGIBLE HEALTH AND LONG-TERM CARE PROVIDER.—The term "eligible health and long-term care provider" means a personal or home care agency (including personal or home care public authorities), a nursing home, a home health agency (as defined in section 1861(o)), or any other health care provider the Secretary determines appropriate which—

(i) is licensed or authorized to provide services in a participating State; and

(ii) receives payment for services under title XIX.

(B) PERSONAL CARE SERVICES.—The term "personal care services" has the meaning given such term for purposes of title XIX.

(C) PERSONAL OR HOME CARE AIDE.—The term "personal or home care aide" means an individual who helps individuals who are elderly, disabled, ill, or mentally disabled (including an individual with Alzheimer's disease or other dementia) to live in their own home or a residential care facility (such as a nursing home, assisted living facility, or any other facility the Secretary determines appropriate) by providing routine personal care services and other appropriate services to the individual.

(D) STATE.—The term "State" has the meaning given that term for purposes of title XIX.

(c) FUNDING.—

(1) IN GENERAL.—Subject to paragraph (2), out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary to carry out subsections (a) and (b), $85,000,000 for each of fiscal years 2010 through [2019.] *2020, and to provide technical assistance and cover administrative costs associated with implementing the successor to this section $15,000,000 for fiscal year 2020.*

(2) TRAINING AND CERTIFICATION PROGRAMS FOR PERSONAL AND HOME CARE AIDES.—With respect to the demonstration projects under subsection (b), the Secretary shall use $5,000,000 of the amount appropriated under paragraph (1) for each of fiscal years 2010 through 2012 to carry out such projects. No funds appropriated under paragraph (1) shall be used to carry out demonstration projects under subsection (b) after fiscal year 2012.

(d) NONAPPLICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the preceding sections of this title shall not apply to grant awarded under this section.

(2) LIMITATIONS ON USE OF GRANTS.—Section 2005(a) (other than paragraph (6)) shall apply to a grant awarded under this section to the same extent and in the same manner as such section applies to payments to States under this title.

[Effective on date of enactment, section 2(a) of H.R. 3398 provides for an amendment to section 2008(c)(1) of the Social Security Act (shown above). Effective October 1, 2020, section 3 of H.R. 3398 further amends section 2008 of the Social Security Act (as so amended by such section 2(a)) to read as follows.]

[SEC. 2008. DEMONSTRATION PROJECTS TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.

[(a) DEMONSTRATION PROJECTS TO PROVIDE LOW-INCOME INDIVIDUALS WITH OPPORTUNITIES FOR EDUCATION, TRAINING, AND CAREER ADVANCEMENT TO ADDRESS HEALTH PROFESSIONS WORKFORCE NEEDS.—

[(1) AUTHORITY TO AWARD GRANTS.—The Secretary, in consultation with the Secretary of Labor, shall award grants to eligible entities to conduct demonstration projects that are designed to provide eligible individuals with the opportunity to obtain education and training for occupations in the health

care field that pay well and are expected to either experience labor shortages or be in high demand.

[(2) REQUIREMENTS.—

[(A) AID AND SUPPORTIVE SERVICES.—

[(i) IN GENERAL.—A demonstration project conducted by an eligible entity awarded a grant under this section shall, if appropriate, provide eligible individuals participating in the project with financial aid, child care, case management, and other supportive services.

[(ii) TREATMENT.—Any aid, services, or incentives provided to an eligible beneficiary participating in a demonstration project under this section shall not be considered income, and shall not be taken into account for purposes of determining the individual's eligibility for, or amount of, benefits under any means-tested program.

[(B) CONSULTATION AND COORDINATION.—An eligible entity applying for a grant to carry out a demonstration project under this section shall demonstrate in the application that the entity has consulted with the State agency responsible for administering the State TANF program, the local workforce investment board in the area in which the project is to be conducted (unless the applicant is such board), the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act, and the State Apprenticeship Agency recognized under the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act") (or if no agency has been recognized in the State, the Office of Apprenticeship of the Department of Labor) and that the project will be carried out in coordination with such entities.

[(C) ASSURANCE OF OPPORTUNITIES FOR INDIAN POPULATIONS.—The Secretary shall award at least 3 grants under this subsection to an eligible entity that is an Indian tribe, tribal organization, or Tribal College or University.

[(3) REPORTS AND EVALUATION.—

[(A) ELIGIBLE ENTITIES.—An eligible entity awarded a grant to conduct a demonstration project under this subsection shall submit interim reports to the Secretary on the activities carried out under the project and a final report on such activities upon the conclusion of the entities' participation in the project. Such reports shall include assessments of the effectiveness of such activities with respect to improving outcomes for the eligible individuals participating in the project and with respect to addressing health professions workforce needs in the areas in which the project is conducted.

[(B) EVALUATION.—The Secretary shall, by grant, contract, or interagency agreement, evaluate the demonstration projects conducted under this subsection. Such evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals and other entry-level workers, a health professions workforce that

has accessible entry points, that meets high standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the workforce's needs.

[(C) REPORT TO CONGRESS.—The Secretary shall submit interim reports and, based on the evaluation conducted under subparagraph (B), a final report to Congress on the demonstration projects conducted under this subsection.

[(4) DEFINITIONS.—In this subsection:

[(A) ELIGIBLE ENTITY.—The term "eligible entity" means a State, an Indian tribe or tribal organization, an institution of higher education, a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act, a sponsor of an apprenticeship program registered under the National Apprenticeship Act or a community-based organization.

[(B) ELIGIBLE INDIVIDUAL.—

[(i) IN GENERAL.—The term "eligible individual" means a individual receiving assistance under the State TANF program.

[(ii) OTHER LOW-INCOME INDIVIDUALS.—Such term may include other low-income individuals described by the eligible entity in its application for a grant under this section.

[(C) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms "Indian tribe" and "tribal organization" have the meaning given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

[(D) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

[(E) STATE.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa.

[(F) STATE TANF PROGRAM.—The term "State TANF program" means the temporary assistance for needy families program funded under part A of title IV.

[(G) TRIBAL COLLEGE OR UNIVERSITY.—The term "Tribal College or University" has the meaning given that term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

[(b) DEMONSTRATION PROJECT TO DEVELOP TRAINING AND CERTIFICATION PROGRAMS FOR PERSONAL OR HOME CARE AIDES.—

[(1) AUTHORITY TO AWARD GRANTS.—Not later than 18 months after the date of enactment of this section, the Secretary shall award grants to eligible entities that are States to conduct demonstration projects for purposes of developing core training competencies and certification programs for personal or home care aides. The Secretary shall—

[(A) evaluate the efficacy of the core training competencies described in paragraph (3)(A) for newly hired personal or home care aides and the methods used by

States to implement such core training competencies in accordance with the issues specified in paragraph (3)(B); and

[(B) ensure that the number of hours of training provided by States under the demonstration project with respect to such core training competencies are not less than the number of hours of training required under any applicable State or Federal law or regulation.

[(2) DURATION.—A demonstration project shall be conducted under this subsection for not less than 3 years.

[(3) CORE TRAINING COMPETENCIES FOR PERSONAL OR HOME CARE AIDES.—

[(A) IN GENERAL.—The core training competencies for personal or home care aides described in this subparagraph include competencies with respect to the following areas:

[(i) The role of the personal or home care aide (including differences between a personal or home care aide employed by an agency and a personal or home care aide employed directly by the health care consumer or an independent provider).

[(ii) Consumer rights, ethics, and confidentiality (including the role of proxy decision-makers in the case where a health care consumer has impaired decision-making capacity).

[(iii) Communication, cultural and linguistic competence and sensitivity, problem solving, behavior management, and relationship skills.

[(iv) Personal care skills.

[(v) Health care support.

[(vi) Nutritional support.

[(vii) Infection control.

[(viii) Safety and emergency training.

[(ix) Training specific to an individual consumer's needs (including older individuals, younger individuals with disabilities, individuals with developmental disabilities, individuals with dementia, and individuals with mental and behavioral health needs).

[(x) Self-Care.

[(B) IMPLEMENTATION.—The implementation issues specified in this subparagraph include the following:

[(i) The length of the training.

[(ii) The appropriate trainer to student ratio.

[(iii) The amount of instruction time spent in the classroom as compared to on-site in the home or a facility.

[(iv) Trainer qualifications.

[(v) Content for a "hands-on" and written certification exam.

[(vi) Continuing education requirements.

[(4) APPLICATION AND SELECTION CRITERIA.—

[(A) IN GENERAL.—

[(i) NUMBER OF STATES.—The Secretary shall enter into agreements with not more than 6 States to conduct demonstration projects under this subsection.

[(ii) REQUIREMENTS FOR STATES.—An agreement entered into under clause (i) shall require that a participating State—

[(I) implement the core training competencies described in paragraph (3)(A); and

[(II) develop written materials and protocols for such core training competencies, including the development of a certification test for personal or home care aides who have completed such training competencies.

[(iii) CONSULTATION AND COLLABORATION WITH COMMUNITY AND VOCATIONAL COLLEGES.—The Secretary shall encourage participating States to consult with community and vocational colleges regarding the development of curricula to implement the project with respect to activities, as applicable, which may include consideration of such colleges as partners in such implementation.

[(B) APPLICATION AND ELIGIBILITY.—A State seeking to participate in the project shall—

[(i) submit an application to the Secretary containing such information and at such time as the Secretary may specify;

[(ii) meet the selection criteria established under subparagraph (C); and

[(iii) meet such additional criteria as the Secretary may specify.

[(C) SELECTION CRITERIA.—In selecting States to participate in the program, the Secretary shall establish criteria to ensure (if applicable with respect to the activities involved)—

[(i) geographic and demographic diversity;

[(ii) that participating States offer medical assistance for personal care services under the State Medicaid plan;

[(iii) that the existing training standards for personal or home care aides in each participating State—

[(I) are different from such standards in the other participating States; and

[(II) are different from the core training competencies described in paragraph (3)(A);

[(iv) that participating States do not reduce the number of hours of training required under applicable State law or regulation after being selected to participate in the project; and

[(v) that participating States recruit a minimum number of eligible health and long-term care providers to participate in the project.

[(D) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States in developing written materials and protocols for such core training competencies.

[(5) EVALUATION AND REPORT.—

[(A) EVALUATION.—The Secretary shall develop an experimental or control group testing protocol in consultation

with an independent evaluation contractor selected by the Secretary. Such contractor shall evaluate—

[(i) the impact of core training competencies described in paragraph (3)(A), including curricula developed to implement such core training competencies, for personal or home care aides within each participating State on job satisfaction, mastery of job skills, beneficiary and family caregiver satisfaction with services, and additional measures determined by the Secretary in consultation with the expert panel;

[(ii) the impact of providing such core training competencies on the existing training infrastructure and resources of States; and

[(iii) whether a minimum number of hours of initial training should be required for personal or home care aides and, if so, what minimum number of hours should be required.

[(B) REPORTS.—

[(i) REPORT ON INITIAL IMPLEMENTATION.—Not later than 2 years after the date of enactment of this section, the Secretary shall submit to Congress a report on the initial implementation of activities conducted under the demonstration project, including any available results of the evaluation conducted under subparagraph (A) with respect to such activities, together with such recommendations for legislation or administrative action as the Secretary determines appropriate.

[(ii) FINAL REPORT.—Not later than 1 year after the completion of the demonstration project, the Secretary shall submit to Congress a report containing the results of the evaluation conducted under subparagraph (A), together with such recommendations for legislation or administrative action as the Secretary determines appropriate.

[(6) DEFINITIONS.—In this subsection:

[(A) ELIGIBLE HEALTH AND LONG-TERM CARE PROVIDER.—The term "eligible health and long-term care provider" means a personal or home care agency (including personal or home care public authorities), a nursing home, a home health agency (as defined in section 1861(o)), or any other health care provider the Secretary determines appropriate which—

[(i) is licensed or authorized to provide services in a participating State; and

[(ii) receives payment for services under title XIX.

[(B) PERSONAL CARE SERVICES.—The term "personal care services" has the meaning given such term for purposes of title XIX.

[(C) PERSONAL OR HOME CARE AIDE.—The term "personal or home care aide" means an individual who helps individuals who are elderly, disabled, ill, or mentally disabled (including an individual with Alzheimer's disease or other dementia) to live in their own home or a residential care facility (such as a nursing home, assisted living facility, or any other facility the Secretary determines appro-

priate) by providing routine personal care services and other appropriate services to the individual.

[(D) STATE.—The term "State" has the meaning given that term for purposes of title XIX.

[(c) FUNDING.—

[(1) IN GENERAL.—Subject to paragraph (2), out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary to carry out subsections (a) and (b), $85,000,000 for each of fiscal years 2010 through 2020, and to provide technical assistance and cover administrative costs associated with implementing the successor to this section $15,000,000 for fiscal year 2020.

[(2) TRAINING AND CERTIFICATION PROGRAMS FOR PERSONAL AND HOME CARE AIDES.—With respect to the demonstration projects under subsection (b), the Secretary shall use $5,000,000 of the amount appropriated under paragraph (1) for each of fiscal years 2010 through 2012 to carry out such projects. No funds appropriated under paragraph (1) shall be used to carry out demonstration projects under subsection (b) after fiscal year 2012.

[(d) NONAPPLICATION.—

[(1) IN GENERAL.—Except as provided in paragraph (2), the preceding sections of this title shall not apply to grant awarded under this section.

[(2) LIMITATIONS ON USE OF GRANTS.—Section 2005(a) (other than paragraph (6)) shall apply to a grant awarded under this section to the same extent and in the same manner as such section applies to payments to States under this title.]

SEC. 2008. CAREER PATHWAYS THROUGH HEALTH PROFESSION OPPORTUNITY GRANTS.

(a) APPLICATION REQUIREMENTS.—An eligible entity desiring a grant under this section for a project shall submit to the Secretary an application for the grant, that includes the following:

(1) A description of how the applicant will use a career pathways approach to train eligible individuals for health professions that pay well or will put eligible individuals on a career path to an occupation that pays well, under the project.

(2) A description of the adult basic education and literacy activities, work readiness activities, training activities, and case management and career coaching services that the applicant will use to assist eligible individuals to gain work experience, connection to employers, and job placement, and a description of the plan for recruiting, hiring, and training staff to provide the case management, mentoring, and career coaching services, under the project directly or through local governmental, apprenticeship, educational, or charitable institutions.

(3) In the case of an application for a grant under this section for a demonstration project described in subsection (c)(2)(B)(i)(I)—

(A) a demonstration that the State in which the demonstration project is to be conducted has in effect policies or laws that permit certain allied health and behavioral health care credentials to be awarded to people with certain arrest or conviction records (which policies or laws shall include appeals processes, waivers, certificates, and other op-

portunities to demonstrate rehabilitation to obtain credentials, licensure, and approval to work in the proposed health careers), and a plan described in the application that will use a career pathway to assist participants with such a record in acquiring credentials, licensing, and employment in the specified careers;

(B) a discussion of how the project or future strategic hiring decisions will demonstrate the experience and expertise of the project in working with job seekers who have arrest or conviction records or employers with experience working with people with arrest or conviction records;

(C) an identification of promising innovations or best practices that can be used to provide the training;

(D) a proof of concept or demonstration that the applicant has done sufficient research on workforce shortage or in-demand jobs for which people with certain types of arrest or conviction records can be hired;

(E) a plan for recruiting students who are eligible individuals into the project; and

(F) a plan for providing post-employment support and ongoing training as part of a career pathway under the project.

(4) In the case of an application for a grant under this section for a demonstration project described in subsection (c)(2)(B)(i)(II)—

(A) a description of the partnerships, strategic staff hiring decisions, tailored program activities, or other programmatic elements of the project, such as training plans for doulas and other community health workers and training plans for midwives and other allied health professions, that are designed to support a career pathway in pregnancy, birth, or post-partum services; and

(B) a demonstration that the State in which the demonstration project is to be conducted recognizes doulas or midwives, as the case may be.

(5) A demonstration that the applicant has experience working with low-income populations, or a description of the plan of the applicant to work with a partner organization that has the experience.

(6) A plan for providing post-employment support and ongoing training as part of a career pathway under the project.

(7) A description of the support services that the applicant will provide under the project, including a plan for how child care and transportation support services will be guaranteed and, if the applicant will provide a cash stipend or wage supplement, how the stipend or supplement would be calculated and distributed.

(8) A certification by the applicant that the project development included—

(A) consultation with a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act;

(B) consideration of apprenticeship and pre-apprenticeship models registered under the Act of August 16, 1937 (also known as the "National Apprenticeship Act");

(C) consideration of career pathway programs in the State in which the project is to be conducted; and

(D) a review of the State plan under section 102 or 103 of the Workforce Innovation and Opportunity Act.

(9) A description of the availability and relevance of recent labor market information and other pertinent evidence of in-demand jobs or worker shortages.

(10) A certification that the applicant will directly provide or contract for the training services described in the application.

(11) A commitment by the applicant that, if the grant is made to the applicant, the applicant will—

(A) during the planning period for the project, provide the Secretary with any information needed by the Secretary to establish adequate data reporting and administrative structure for the project;

(B) hire a person to direct the project not later than the end of the planning period applicable to the project;

(C) accept all technical assistance offered by the Secretary with respect to the grant;

(D) participate in such in-person grantee conferences as are regularly scheduled by the Secretary;

(E) provide all data required by the Secretary under subsection (g); and

(F) notify the local disabled veterans' outreach program specialists under section 4103A of title 38, United States Code, and the local veterans' employment representatives under section 4104 of such title, of the grantee's outreach plan for advertising training opportunities to potential participants in the project.

(b) PREFERENCES IN CONSIDERING APPLICATIONS.—In considering applications for a grant under this section, the Secretary shall give preference to—

(1) applications submitted by applicants to whom a grant was made under this section or any predecessor to this section;

(2) applications submitted by applicants who have business and community partners in each of the following categories:

(A) State and local government agencies and social service providers, including a State or local entity that administers a State program funded under part A of this title;

(B) institutions of higher education, apprenticeship programs, and local workforce development boards established under section 107 of the Workforce Innovation and Opportunity Act; and

(C) health care employers, health care industry or sector partnerships, labor unions, and labor-management partnerships;

(3) applications that include opportunities for mentoring or peer support, and make career coaching available, as part of the case management plan;

(4) applications which describe a project that will serve a rural area in which—

(A) the community in which the individuals to be enrolled in the project reside is located;

(B) the project will be conducted; or

(C) an employer partnership that has committed to hiring individuals who successfully complete all activities under the project is located;

(5) applications that include a commitment to providing project participants with a cash stipend or wage supplement; and

(6) applications which have an emergency cash fund to assist project participants financially in emergency situations.

(c) GRANTS.—

(1) COMPETITIVE GRANTS.—

(A) GRANT AUTHORITY.—

(i) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor and the Secretary of Education, may make a grant in accordance with this paragraph to an eligible entity whose application for the grant is approved by the Secretary, to conduct a project designed to train low-income individuals for allied health professions, health information technology, physicians assistants, nursing assistants, registered nurse, advanced practice nurse, and other professions considered part of a health care career pathway model.

(ii) GUARANTEE OF GRANTEES IN EACH STATE AND THE DISTRICT OF COLUMBIA.—For each grant cycle, the Secretary shall award a grant under this paragraph to at least 2 eligible entities in each State that is not a territory, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant. If, for a grant cycle, there are fewer than 2 such eligible entities in a State, the Secretary shall include that information in the report required by subsection (g)(2) that covers the fiscal year.

(B) GUARANTEE OF GRANTS FOR INDIAN POPULATIONS.—From the amount reserved under subsection (i)(2)(B) for each fiscal year, the Secretary shall award a grant under this paragraph to at least 10 eligible entities that are an Indian tribe, a tribal organization, or a tribal college or university, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant.

(C) GUARANTEE OF GRANTEES IN THE TERRITORIES.—From the amount reserved under subsection (i)(2)(C) for each fiscal year, the Secretary shall award a grant under this paragraph to at least 2 eligible entities that are located in a territory, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant.

(2) GRANTS FOR DEMONSTRATION PROJECTS.—

(A) GRANT AUTHORITY.—The Secretary, in consultation with the Secretary of Labor and the Secretary of Education (and, with respect to demonstration projects of the type described in subparagraph (B)(i)(I), the Attorney General) shall make a grant in accordance with this subsection to an eligible entity whose application for the grant is approved

by the Secretary, to conduct a demonstration project that meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—The requirements of this subparagraph are the following:

(i) TYPE OF PROJECT.—The demonstration project shall be of 1 of the following types:

(I) INDIVIDUALS WITH ARREST OR CONVICTION RECORDS DEMONSTRATION.—The demonstration project shall be of a type designed to provide education and training for eligible individuals with arrest or conviction records to enter and follow a career pathway in the health professions through occupations that pay well and are expected to experience a labor shortage or be in high demand.

(II) PREGNANCY AND CHILDBIRTH CAREER PATHWAY DEMONSTRATION.—The demonstration project shall be of a type designed to provide education and training for eligible individuals to enter and follow a career pathway in the field of pregnancy, childbirth, or post-partum, in a State that recognizes doulas or midwives and that provides payment for services provided by doulas or midwives, as the case may be, under private or public health insurance plans.

(ii) DURATION.—The demonstration project shall be conducted for not less than 5 years.

(C) MINIMUM ALLOCATION OF FUNDS FOR EACH TYPE OF DEMONSTRATION PROJECT.—

(i) INDIVIDUALS WITH ARREST OR CONVICTION RECORDS DEMONSTRATIONS.—Not less than 25 percent of the amounts made available for grants under this paragraph shall be used to make grants for demonstration projects of the type described in subparagraph (B)(i)(I).

(ii) PREGNANCY AND CHILDBIRTH CAREER PATHWAY DEMONSTRATIONS.—Not less than 25 percent of the amounts made available for grants under this paragraph shall be used to make grants for demonstration projects of the type described in subparagraph (B)(i)(II).

(3) GRANT CYCLE.—The grant cycle under this section shall be not less than 5 years, with a planning period of not more than the 1st 12 months of the grant cycle. During the planning period, the amount of the grant shall be in such lesser amount as the Secretary determines appropriate.

(d) USE OF GRANT.—

(1) IN GENERAL.—An entity to which a grant is made under this section shall use the grant in accordance with the approved application for the grant.

(2) SUPPORT TO BE PROVIDED.—

(A) REQUIRED SUPPORT.—A project for which a grant is made under this section shall include the following:

(i) An assessment for adult basic skill competency, and provision of adult basic skills education if necessary for lower-skilled eligible individuals to enroll in

the project and go on to enter and complete post-secondary training, through means including the following:

(I) Establishing a network of partners that offer pre-training activities for project participants who need to improve basic academic skills or English language proficiency before entering a health occupational training career pathway program.

(II) Offering resources to enable project participants to continue advancing adult basic skill proficiency while enrolled in a career pathway program.

(III) Embedding adult basic skill maintenance as part of ongoing post-graduation career coaching and mentoring.

(ii) A guarantee that child care is an available and affordable support service for project participants through means such as the following;

(I) Referral to, and assistance with, enrollment in a subsidized child care program.

(II) Direct payment to a child care provider if a slot in a subsidized child care program is not available or reasonably accessible.

(III) Payment of co-payments or associated fees for child care.

(iii) Case management plans that include career coaching (with the option to offer appropriate peer support and mentoring opportunities to help develop soft skills and social capital), which may be offered on an ongoing basis before, during, and after initial training as part of a career pathway model.

(iv) A plan to provide project participants with transportation through means such as the following:

(I) Referral to, and assistance with enrollment in, a subsidized transportation program.

(II) If a subsidized transportation program is not reasonably available, direct payments to subsidize transportation costs.

For purposes of this clause, the term "transportation" includes public transit, or gasoline for a personal vehicle if public transit is not reasonably accessible or available.

(v) In the case of a demonstration project of the type described in subsection (c)(2)(B)(i)(I), access to legal assistance for project participants for the purpose of addressing arrest or conviction records and associated workforce barriers.

(B) ALLOWED SUPPORT.—The goods and services provided under a project for which a grant is made under this section may include the following:

(i) A cash stipend that is at least monthly.

(ii) A reserve fund for financial assistance to project participants in emergency situations.

(iii) Tuition, and training materials such as books, software, uniforms, shoes, and hair nets.

(iv) In-kind resource donations such as interview clothing and conference attendance fees.

(v) Assistance with accessing and completing high school equivalency or adult basic education courses as necessary to achieve success in the project and make progress toward career goals.

(vi) Assistance with programs and activities, including legal assistance, deemed necessary to address arrest or conviction records as an employment barrier.

(vii) Other support services as deemed necessary for family well-being, success in the project, and progress toward career goals.

(C) TREATMENT OF SUPPORT FOR PURPOSES OF MEANS-TESTED PROGRAMS.—Any goods or services provided to an eligible individual participating in a project for which a grant is made under this section shall not be considered income, and shall not be taken into account for purposes of determining the eligibility of the individual for, or amount of benefits to be provided to the individual, under any means-tested program.

(3) TRAINING.—The number of hours of training provided to an eligible individual under a project for which a grant is made under this section, for a recognized postsecondary credential, including an industry-recognized credential, which is awarded in recognition of attainment of measurable technical or occupational skills necessary to gain employment or advance within an occupation (including a certificate awarded by a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act), shall be—

(A) not less than the number of hours of training required for certification in that level of skill by the State in which the project is conducted; or

(B) if there is no such requirement, such number of hours of training as the Secretary finds is necessary to achieve that skill level.

(4) INCOME LIMITATION.—An entity to which a grant is made under this section shall not use the grant to provide support to a person who is not an eligible individual.

(5) INCLUSION OF TANF RECIPIENTS.—In the case of a project for which a grant is made under this section that is conducted in a State that has a program funded under part A of title IV, at least 10 percent of the eligible individuals to whom support is provided under the project shall meet the income eligibility requirements under that State program, without regard to whether the individuals receive benefits or services directly under that State program.

(6) PROHIBITION.—An entity to which a grant is made under this section shall not use the grant for purposes of entertainment, except that case management and career coaching services may include celebrations of specific career-based milestones such as completing a semester, graduation, or job placement.

(e) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall provide technical assistance—

(A) to assist eligible entities in applying for grants under this section;

(B) that is tailored to meet the needs of grantees at each stage of the administration of projects for which grants are made under this section;

(C) that is tailored to meet the specific needs of Indian tribes, tribal organizations, and tribal colleges and universities;

(D) that is tailored to meet the specific needs of the territories;

(E) that is tailored to meet the specific needs of eligible entities in carrying out demonstration projects for which a grant is made under this section; and

(F) to facilitate the exchange of information among eligible entities regarding best practices and promising practices used in the projects.

(2) CONTINUATION OF PEER TECHNICAL ASSISTANCE CONFERENCES.—The Secretary shall continue to hold peer technical assistance conferences for entities to which a grant is made under this section or was made under the immediate predecessor of this section.

(f) EVALUATION OF DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall, by grant, contract, or interagency agreement, conduct rigorous and well-designed evaluations of the demonstration projects for which a grant is made under this section.

(2) REQUIREMENT APPLICABLE TO INDIVIDUALS WITH ARREST OR CONVICTION RECORDS DEMONSTRATION.—In the case of a project of the type described in subsection (c)(2)(B)(i)(I), the evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals with arrest or conviction records, a health professions workforce that has accessible entry points, that meets high standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the needs of the workforce.

(3) REQUIREMENT APPLICABLE TO PREGNANCY AND CHILDBIRTH CAREER PATHWAY DEMONSTRATION.—In the case of a project of the type described in subsection (c)(2)(B)(i)(II), the evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals and other entry-level workers, a career pathway that has accessible entry points, that meets high standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the needs of the birth, pregnancy, and post-partum workforce.

(4) RULE OF INTERPRETATION.—Evaluations conducted pursuant to this subsection may include a randomized controlled trial, but this subsection shall not be interpreted to require an evaluation to include such a trial.

(g) REPORTS.—

(1) TO THE SECRETARY.—An eligible entity awarded a grant to conduct a project under this section shall submit interim reports to the Secretary on the activities carried out under the project, and, on the conclusion of the project, a final report on the activities. Each such report shall include data on participant outcomes related to earnings, employment in health professions, graduation rate, graduation timeliness, credential attainment, participant demographics, and other data specified by the Secretary.

(2) TO THE CONGRESS.—During each Congress, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report—

(A) on the demographics of the participants in the projects for which a grant is made under this section;

(B) on the rate of which project participants completed all activities under the projects;

(C) on the employment credentials acquired by project participants;

(D) on the employment of project participants on completion of activities under the projects, and the earnings of project participants at entry into employment;

(E) on best practices and promising practices used in the projects;

(F) on the nature of any technical assistance provided to grantees under this section;

(G) on, with respect to the period since the period covered in the most recent prior report submitted under this paragraph—

(i) the number of applications submitted under this section, with a separate statement of the number of applications referred to in subsection (b)(5);

(ii) the number of applications that were approved, with a separate statement of the number of such applications referred to in subsection (b)(5); and

(iii) a description of how grants were made in any case described in the last sentence of subsection (c)(1)(A)(ii); and

(H) that includes an assessment of the effectiveness of the projects with respect to addressing health professions workforce shortages or in-demand jobs.

(h) DEFINITIONS.—In this section:

(1) ALLIED HEALTH PROFESSION.—The term "allied health profession" has the meaning given in section 799B(5) of the Public Health Service Act.

(2) CAREER PATHWAY.—The term "career pathway" has the meaning given that term in section 3(7) of the Workforce Innovation and Opportunity Act.

(3) DOULA.—The term "doula" means an individual who—

(A) is certified by an organization that has been established for not less than 5 years and that requires the completion of continuing education to maintain the certification, to provide non-medical advice, information, emotional support, and physical comfort to an individual dur-

ing the individual's pregnancy, childbirth, and post-partum period; and

(B) maintains the certification by completing the required continuing education.

(4) ELIGIBLE ENTITY.—The term "eligible entity" means any of the following entities that demonstrates in an application submitted under this section that the entity has the capacity to fully develop and administer the project described in the application:

(A) A local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act.

(B) A State or territory, a political subdivision of a State or territory, or an agency of a State, territory, or such a political subdivision, including a State or local entity that administers a State program funded under part A of this title.

(C) An Indian tribe, a tribal organization, or a tribal college or university.

(D) An institution of higher education (as defined in the Higher Education Act of 1965).

(E) A hospital (as defined in section 1861(e)).

(F) A high-quality skilled nursing facility (as defined in section 1819(a)).

(G) A Federally qualified health center (as defined in section 1861(aa)(4)).

(H) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986, a labor organization, or an entity with shared labor-management oversight, that has a demonstrated history of providing health profession training to eligible individuals.

(I) In the case of a demonstration project of the type provided for in subsection (c)(2)(B)(i)(II) of this section, an entity recognized by a State, Indian tribe, or tribal organization as qualified to train doulas or midwives, if midwives or doulas, as the case may be, are permitted to practice in the State involved.

(J) An opioid treatment program (as defined in section 1861(jjj)(2)), and other high quality comprehensive addiction care providers.

(5) ELIGIBLE INDIVIDUAL.—The term "eligible individual" means an individual whose family income does not exceed 200 percent of the Federal poverty level.

(6) FEDERAL POVERTY LEVEL.—The term "Federal poverty level" means the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section applicable to a family of the size involved).

(7) HIGH-QUALITY SKILLED NURSING FACILITY.—The term "high-quality skilled nursing facility" means a facility (as defined in section 1819(a)) that has at least a 5-star rating for staffing to participate based on the data from section 1819(i)(1)(A)(i) and not have an immediate jeopardy violation as described in section 1819(h)(1)(A) within the preceding 3 years.

(8) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms "Indian tribe" and "tribal organization" have the meaning given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(9) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 or 102(a)(1)(B) of the Higher Education Act of 1965.

(10) TERRITORY.—The term "territory" means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa.

(11) TRIBAL COLLEGE OR UNIVERSITY.—The term "tribal college or university" has the meaning given the term in section 316(b) of the Higher Education Act of 1965.

(i) FUNDING.—

(1) IN GENERAL.—Out of any funds in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary to carry out this section $425,000,000 for each of fiscal years 2021 through 2025.

(2) ALLOCATION OF FUNDS.—Of the amount appropriated for a fiscal year under paragraph (1) of this subsection—

(A) 75 percent shall be available for grants under subsection (c)(1)(A);

(B) 4 percent shall be reserved for grants under subsection (c)(1)(B);

(C) 5 percent shall be reserved for grants under subsection (c)(1)(C);

(D) 6 percent shall be available for demonstration project grants under subsection (c)(2);

(E) 6 percent, plus all amounts referred to in subparagraphs (A) through (D) of this paragraph that remain unused after all grant awards are made for the fiscal year, shall be available for the provision of technical assistance and associated staffing; and

(F) 4 percent shall be available for studying the effects of the demonstration and non-demonstration projects for which a grant is made under this section, and for associated staffing, for the purpose of supporting the rigorous evaluation of the demonstration projects, and supporting the continued study of the short-, medium-, and long-term effects of all such projects, including the effectiveness of new or added elements of the non-demonstration projects.

(j) NONAPPLICABILITY OF PRECEDING SECTIONS OF THIS SUBTITLE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the preceding sections of this subtitle shall not apply to a grant awarded under this section.

(2) EXCEPTION FOR CERTAIN LIMITATIONS ON USE OF GRANTS.—Section 2005(a) (other than paragraphs (2), (3), (5), (6), and (8)) shall apply to a grant awarded under this section to the same extent and in the same manner as such section applies to payments to States under this subtitle.

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DISSENTING VIEWS

Committee Republicans oppose Worker and Family Support Chairman Davis' bill, H.R. 3398, the Pathway to Health Careers Act of 2019.

The fact is we do not know if this program works yet because evaluations of the Health Profession Opportunity Grants (HPOG) program's effectiveness have not been completed. The Department of Health and Human Services (HHS) study of the first round of HPOG grants evaluated 42 programs and found no significant impact on overall employment and only a small impact on earnings. The results from a 36-month study are expected in late 2019 or early 2020, and the Committee should wait to see what those reveal before extending the program for a long period—and especially before adding more money and growing this program to several times its current size.

In 2019, the Federal government ran 47 different employment and training programs spread across 15 government agencies. Collectively, those programs spend $18.9 billion per year to help Americans get the skills they need to obtain good jobs and move up the economic ladder. The Council of Economic Advisors recently issued a report assessing the evidence and performance of Federal employment and training programs. The report found that, "with the exception of the Registered Apprenticeship program, government job training programs appear to be largely ineffective and fail to produce sufficient benefits for workers to justify the costs." Especially knowing the poor track record of the dozens of other government job training programs, there should be convincing evidence that the HPOG program actually works before expanding spending on it by 500 percent.

Instead, the Committee should focus on reforming the $16.7 billion dollar a year Temporary Assistance for Needy Families Program (TANF), which also helps low-income people go to work. There is bipartisan agreement that TANF needs immediate improvement to better assist low-income families in going to work. Both the TANF and HPOG programs expire on November 22nd. The HPOG program (at $85 million per year) spends just a small fraction of what TANF does (about $16.7 billion just in federal funds, and close to $30 billion counting state spending). Unfortunately, this Committee has not held a hearing or markup this Congress on proposals to reauthorize TANF. That is despite the fact Working on TANF would be a much better use of the Committee's time and resources. The Committee should focus on fixing TANF by advancing the JOBS for Success Act that Republican leader Kevin Brady introduced and this Committee approved in 2018. That approach would refocus the TANF program on helping far more people successfully enter work and move up the economic ladder.

The Committee should continue to work to promote evidence-based policy making to be good stewards of taxpayer funds. But there is no sound justification for significantly expanding spending on this program—and notably before it has proven it is achieving results. H.R. 3398 would spend more in 2021 through 2024 ($1.7 billion) than in the past 10 years of the HPOG program. That's irresponsible. We recently exceeded $22 trillion in debt and our nation faces a serious spending problem. That certainly will not be helped by growing the HPOG program to multiple times its current size—which is just one of the many ways our colleagues want to rapidly increase federal spending.

In the 115th Congress, we heard countless times from our colleagues on the other side of the aisle complain about bills not going through regular order. Yet neither this bill, which adds $2.2 billion to the debt without a spending offset, nor the expansion of the HPOG program therein, have received one hearing before the Committee.

Committee Republicans call on the Democratic leadership to allow this Committee to work in a bipartisan manner to develop a long-term extension to TANF that focuses giving families and individuals the tools they need so they can prepare for, find, and keep a good job.

KEVIN BRADY,
Republican Leader, Committee on Ways and Means.
JACKIE WALORSKI,
Worker and Family Support, Republican Leader.

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