A B I L L

To provide for aid to the States in the fields of practical nursing and auxiliary hospital personnel services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Vocational Education Act of 1914 (60 Stat. 775) is amended by inserting

"TITLE I—VOCATIONAL EDUCATION IN AGRICULTURE, HOME ECONOMICS, TRADES AND INDUSTRY, AND DISTRIBUTIVE OCCUPATIONS"

immediately above the heading of section 1 of such Act, by changing the words "This Act" wherever they appear in such Act to read "this title", and by adding immediately after section 9 the following new title:

"TITLE II—VOCATIONAL EDUCATION IN PRACTICAL NURSING AND AUXILIARY HOSPITAL PERSONNEL SERVICES"

"DEFINITIONS"

"Sec. 201. When used in this title—

"(a) the term 'practical nurse' means a person who is trained to care for subacute, convalescent, and chronic patients under the direction of a"
licensed physician or under the supervision of a registered professional nurse, or to assist a registered professional nurse in the care of acute illness;

"(b) the term 'auxiliary hospital personnel' means persons working in hospitals under the general supervision and direction of graduate nurses and heads of departments and services, such as ward aides, nursing aides and assistants, and assistants in laboratories and clinics and dietary departments of hospitals;

"(c) the term 'State' includes the several States, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and the District of Columbia;

"(d) the term 'Secretary' means the Secretary of Health, Education, and Welfare;

"(e) the term 'Commissioner' means the Commissioner of Education;

"(f) the term 'State board' shall have the same meaning as such term has in the Smith-Hughes Vocational Education Act; and

"(g) the term 'Smith-Hughes Vocational Education Act' means the Act approved February 23, 1917 (39 Stat. 929, ch. 114).

**STATE PLANS**

"Sec. 202. (a) In order for a State to secure the benefits of this title, the State board shall submit, and have approved by the Commission, a State plan for the training of practical nurses or auxiliary hospital personnel, or both. To be approved under this title, a State plan for such training must provide (1) that such training shall be given under public supervision or control; (2) that the purpose of such training shall be to fit individuals for useful employment as practical nurses or auxiliary hospital personnel; (3) that such training shall be of less than college grade and shall be designed to meet the needs of persons who have obtained the age of seventeen who are preparing to enter upon or who have entered upon the vocation of practical nursing or
auxiliary hospital personnel services; (h) that such training shall include such courses of practical training and instruction and such supervised experience as are necessary to meet the minimum requirements of State licensing laws for practical nurses or auxiliary hospital personnel, or, where such laws have not been enacted, that the State board shall establish adequate standards for such training and instruction; (5) that teachers of practical nurse or auxiliary hospital personnel courses in any State shall have at least the minimum qualifications for teachers of such subjects determined upon for such State by the State board, with the approval of the Commissioner; (6) if in-service teacher training is to be given to teachers, supervisors, and directors of practical nurse training or of auxiliary hospital personnel training, such training shall be given under the auspices of the State board and only to persons who have had adequate experience as registered nurses or heads of hospital departments and services, as the case may be; (7) duties and qualifications for teachers, teacher-trainers, supervisors, and directors, and plans for the supervision and direction of practical nurse or auxiliary hospital personnel training; (8) for an advisory council composed of not more than ten nor less than six persons, including at least one registered nurse, a practical nurse (if a practical nurse is available who is a graduate of a school approved by the State board or by the Surgeon General), a physician, an educator, a hospital administrator, a representative of consumers of nursing services, and such other persons as the State may desire, each of whom shall be appointed for a term of three years except that (A) the terms of office of the members first appointed shall be so fixed that the terms of approximately one-third of the members will expire at the end of each succeeding year, and (B) members appointed to fill vacancies occurring prior to the expiration of a term shall be appointed only for the unexpired portion of such term; (9) that the State treasurer (or similar officer) shall be custodian of funds paid to the State under this title and shall pay such funds only on requisition of the State board to such schools as are approved by the board and are entitled to receive payments under the plan; (10) evidence satisfactory to the
Commissioner that full compliance with the requirements of this title is authorized under the State laws; (11) that the State board shall make an annual report to the Commissioner on or before September 1 of each year, on such form and in such manner as the Commissioner may prescribe, on the work done in the State during the preceding fiscal year and the receipts and expenditures of money under the State plan approved under this title; and (12) that the State board has all the authority necessary to carry out the State plan and to cooperate with the Commissioner in the administration of this title.

"(b) The Commissioner shall approve any plan which fulfills the conditions specified in subsection (a) and which he finds is otherwise in conformity with the provisions and purposes of this title.

"AUTHORIZATIONS FOR APPROPRIATIONS"

"Sec. 203. (a) For the purpose of assuring more adequate funds for assisting the several States in the development of practical nurse and auxiliary hospital personnel training, there is authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1956, $5,000,000 for expenditure in accordance with the provisions of this title.

"(b) There is also authorized to be appropriated for each such fiscal year such amount as may be necessary for the administration of this title.

"(c) The funds appropriated pursuant to subsection (a) may be used for assisting the several States in meeting the direct costs of maintaining an adequate program of administration, supervision, and in-service teacher training; for salaries and necessary travel expenses of teachers, teacher trainers, supervisors, and directors of practical nurse and auxiliary hospital personnel training and for necessary travel expenses of students taking practical training in a hospital outside the community in which the school is located; for securing necessary educational information and data as a basis for the proper development of programs of practical nurse and auxiliary hospital personnel training; for purchase, rental, or other acquisition and the repair and maintenance of equipment for vocational instruction; for purchase of supplies for vocational instruction; for promotion of the program and recruitment of students and teachers; and for payments to public or nonprofit private hospitals.
exempt from income tax under section 501 (a) of the Internal Revenue Code of 1954, to meet costs incurred by them in affording opportunity to practical nurse or auxiliary hospital personnel trainees for supervised experience in such hospitals:

Provided, That all expenditures for the purposes set forth in this section shall be made in accordance with the State plan approved under this title.

"PAYMENTS TO STATES"

"Sec. 203. (a) From the sums appropriated for each fiscal year pursuant to section 203 (a), the Commissioner shall allot to each State an amount which bears the same ratio to such sums as the product of (1) the population of such State and (2) the square of its allotment percentage (as defined in subsection (b)) bears to the sum of the corresponding products for all of the States: Provided, That no such allotment to any State shall be less than $10,000. Sums allotted to a State for a fiscal year and remaining unobligated at the end of such year shall remain available to such State for the next fiscal year (and for such year only) in addition to the sums allotted for such State for such next fiscal year. Any amount of the sum authorized to be appropriated for a fiscal year which is not appropriated for such year, or which is not allotted in such year by reason of the failure of any State or States to have plans approved under this part, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized under section 203.

(b) (1) The allotment percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States (excluding Alaska), except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33 1/3 per centum, and (B) the allotment percentage for Alaska and Hawaii shall be 50 per centum each, and the allotment percentage for Puerto Rico and the Virgin Islands shall be 75 per centum each.

(2) For the purposes of this section the Commissioner shall utilize allotment percentages promulgated by the Surgeon General under section 631 of title VI of the Public Health Service Act and the allotment percentages specifically set forth under that section.
"(c) From time to time the Commissioner shall certify to the Secretary of the Treasury for payment to each State such amounts, within the allotments to such State, as shall be necessary (subject to the succeeding provisions of this subsection) to carry out the approved State plan. Upon receipt of any such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Such payments to any State for any fiscal year ending after June 30, 1957 shall be made upon condition that there will be provided from State or local funds, or both, 25 per centum of the amount of expenditures under the State plan in the case of the fiscal years ending June 30, 1953 and June 30, 1959, and 50 per centum of such expenditures in the case of the fiscal year ending June 30, 1960 and each fiscal year thereafter.

"(d) Funds appropriated pursuant to this title shall not be paid to any State unless such State has made adequate provision for the supervision of practical nurse training by a registered nurse.

"REGULATIONS

"Sec. 205. The Commissioner, with the approval of the Secretary, shall make and publish such regulations, not inconsistent with this title, as may be necessary to the efficient administration of its provisions.

"ADMINISTRATION

"Sec. 206. The Commissioner shall perform his functions under this title under the supervision and direction of the Secretary. It shall be the duty of the Commissioner to make, or cause to have made, studies, investigations, and reports for use in aiding the States in training practical nurses and auxiliary hospital personnel and teachers, teacher-trainers, supervisors, and directors of practical nurse training and auxiliary hospital personnel training.

"ANNUAL REPORT

"Sec. 207. The Commissioner shall make an annual report to the Secretary concerning the administration of this title, including reports to show the distribution of Federal funds, the activities of the States in the training program, the numbers of persons trained thereunder, and recommendations for such revisions of this title as he deems necessary. The Secretary shall include in his annual report to the Congress such portions of the Commissioner's report as the Secretary deems necessary.
"ADVISORY COMMITTEES"

"Sec. 208. The Commissioner may, with the approval of the Secretary, appoint such advisory committees on practical nurse training or auxiliary hospital personnel training as he deems necessary to the proper administration of this title. The members of such committees who are not officers or employees of the United States shall serve without compensation, except that while attending conferences or meetings of the committees or while otherwise serving at the request of the Commissioner they shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

"WITHOLDING OR RECAPTURE OF PAYMENTS"

"Sec. 209. (a) Whenever any portion of the funds paid to any State under this title has not been expended in accordance with its provisions, a sum equal to such portion shall be deducted by the Commissioner from subsequent payments hereunder to such State and the State shall be held accountable for the full amount so paid plus an amount equal to that withheld.

(b) The Commissioner may withhold the allotment or payment of any moneys to any State under this title whenever he determines that such moneys are not being expended in accordance with the provisions of this title.

(c) If any portion of the moneys paid to any State under this title shall, by any action or contingency, be diminished or lost, it shall be replaced by such State, and until so replaced no subsequent payments shall be made to such State under this title. No funds paid to a State under this title shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or for the purchase or rental of lands, or for payment (except as provided in section 203 (c)) to any privately owned or conducted school, college, or other institution.

"EFFECT ON OTHER LAWS"

"Sec. 210. Nothing in this title shall in any way affect the availability of amounts paid the States under the Act of February 23, 1917 (39 Stat. 929), as amended and extended, or the Vocational Education Act of 1946 (60 Stat. 775), as amended and extended, for practical nurse training."