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

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY (for himself and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Hazard Pay for Health Care Heroes Act”.
SEC. 2. SAFEGUARDING ESSENTIAL HEALTH CARE WORKERS.

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

“SEC. 319D–2. EMERGENCY GRANTS TO SAFEGUARD ESSENTIAL HEALTH CARE WORKERS.

“(a) DEFINITIONS.—In this section:

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

“(A) a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

“(B) an emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

“(C) a national emergency declared by the President under the National Emergencies Act;

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

“(E) a State, local, territorial, or Tribal emergency or disaster, as declared by the applicable State, local, territorial, or Tribal government.
“(2) Eligible health care worker.—The term ‘eligible health care worker’ means an essential health care worker whose work cannot be conducted remotely.

“(3) Essential health care worker.—The term ‘essential health care worker’ means—

“(A) a health care provider, including a direct care worker (as defined in section 799B);

“(B) a medical technologist;

“(C) a public health worker;

“(D) an orderly (as defined in the 2010 Standard Occupational Classifications of the Department of Labor under the code for Orderlies (31–1015));

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

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

“(b) Grants.—

“(1) In general.—The Secretary may make grants to public or private nonprofit health care facilities and home health agencies for use in accordance with paragraph (2).

“(2) Use of funds.—
(A) HAZARDOUS DUTY COMPENSATION.—

(i) IN GENERAL.—The recipient of a grant under paragraph (1) shall use the grant funds to provide hazardous duty compensation to eligible health care workers for work performed during the period of an emergency or disaster in cases in which the Secretary determines that—

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

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

(ii) REQUIREMENT.—

(I) IN GENERAL.—Subject to subclause (II), the amount of hazardous duty compensation under clause (i) shall be not more than $13 per hour, which shall be in addition to the wages or remuneration the eligible health care worker otherwise receives for the work.

(II) MAXIMUM AMOUNT.—The total amount of hazardous duty com-
pensation received by any 1 eligible health care worker under this sub-
paragraph may not exceed $25,000 per year.

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

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