

116TH CONGRESS
1ST SESSION

H. R. 3336

To provide grants for the conduct of demonstration projects designed to provide education and training for eligible individuals with an arrest or conviction record 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, under the health profession opportunity grant program under section 2008 of the Social Security Act.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2019

Mr. DANNY K. DAVIS of Illinois introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide grants for the conduct of demonstration projects designed to provide education and training for eligible individuals with an arrest or conviction record 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, under the health profession opportunity grant program under section 2008 of the Social Security Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Demonstrating that
3 Empowerment Makes Opportunities Act” or the “DEMO
4 Act”.

5 **SEC. 2. GRANTS FOR DEMONSTRATION PROJECTS TO PRO-**
6 **VIDE CAREER PATHWAYS IN THE HEALTH**
7 **PROFESSIONS FOR CERTAIN INDIVIDUALS**
8 **WITH AN ARREST OF CONVICTION RECORD.**

9 Section 2008 of the Social Security Act (42 U.S.C.
10 1397g) is amended by redesignating subsection (d) as sub-
11 section (e) and inserting after subsection (c) the following:

12 “(d) DEMONSTRATION PROJECTS TO PROVIDE CA-
13 REER PATHWAYS IN THE HEALTH PROFESSIONS FOR
14 CERTAIN INDIVIDUALS WITH AN ARREST OF CONVICTION
15 RECORD.—

16 “(1) GRANT AUTHORITY.—The Secretary, in
17 consultation with the Secretary of Labor, the Sec-
18 retary of Education, and the Attorney General, shall
19 award grants in accordance with this subsection to
20 eligible entities to conduct demonstration projects
21 for the purpose of providing education and training
22 for eligible individuals with arrest or conviction
23 records to enter and follow a career pathway in the
24 health professions through occupations that pay well
25 and are expected to experience a labor shortage or
26 be in high demand.

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

4 “(3) APPLICATION REQUIREMENTS.—An appli-
5 cant seeking a grant under this subsection for a
6 demonstration project shall submit to the Secretary
7 an application for the grant, that includes the fol-
8 lowing:

9 “(A) A demonstration that the State in
10 which the project is to be conducted has in ef-
11 fect policies or laws that permit certain allied
12 health and behavioral health care credentials to
13 be awarded to people with certain arrest or con-
14 viction records (which policies or laws shall in-
15 clude appeals processes and other opportunities
16 to demonstrate rehabilitation to obtain licensure
17 and approval to work in the proposed health ca-
18 reers), and a plan described in the application
19 which will use a legally permitted career path-
20 way to train people with such a record to be
21 trained and employed in such a career.

22 “(B) A discussion of how the project or fu-
23 ture strategic hiring decisions will demonstrate
24 the experience and expertise of the project in
25 working with job seekers who have arrest or

1 conviction records or employers with experience
2 working with people with arrest or conviction
3 records.

4 “(C) A demonstration that the applicant
5 has experience working with low-income popu-
6 lations, or a description of the plan of the appli-
7 cant to work with a partner that has the experi-
8 ence.

9 “(D) An identification of promising inno-
10 vations or best practices that can be used to
11 provide the training.

12 “(E) A proof of concept or demonstration
13 that the applicant has done sufficient research
14 on workforce shortage or in-demand jobs for
15 which people with certain types of criminal
16 records can be hired.

17 “(F) A plan for recruiting students who
18 are eligible individuals into the project.

19 “(G) A plan for providing post-employment
20 support and ongoing training as part of a ca-
21 reer pathway under the project.

22 “(4) PREFERENCES IN CONSIDERING APPLICA-
23 TIONS.—In considering applications for a grant
24 under this subsection, the Secretary shall give pref-
25 erence to—

1 “(A) applications submitted by applicants
2 who have completed a demonstration project
3 funded under this section, if an evaluation of
4 the project, which was funded by the Secretary,
5 found the project to have positive outcomes in
6 the categories of—

7 “(i) graduation and credential attain-
8 ment;

9 “(ii) job placement and retention; and

10 “(iii) evidence of addressing the work-
11 er shortage or in-demand jobs described in
12 the original application for funding for the
13 completed demonstration project; and

14 “(B) applications which have an emergency
15 cash fund to assist project participants finan-
16 cially in emergency situations.

17 “(5) SUPPORT TO BE PROVIDED.—

18 “(A) REQUIRED SUPPORT.—A project for
19 which a grant is made under this subsection
20 shall include access to legal assistance for
21 project participants for the purpose of address-
22 ing arrest or conviction records and associated
23 workforce barriers.

24 “(B) ALLOWED SUPPORT.—The goods and
25 services provided under a project for which a

1 grant is made under this subsection may in-
2 clude the following:

3 “(i) A reserve fund for financial as-
4 sistance to project participants in emer-
5 gency situations.

6 “(ii) Assistance with programs and
7 activities, including legal assistance,
8 deemed necessary to address arrest or con-
9 viction records as an employment barrier.

10 “(6) TECHNICAL ASSISTANCE.—The Secretary
11 shall provide technical assistance—

12 “(A) to assist eligible entities in applying
13 for grants under this subsection;

14 “(B) that is tailored to meet the needs of
15 grantees at each stage of the administration of
16 projects for which grants are made under this
17 subsection; and

18 “(C) that is tailored to meet the specific
19 needs of eligible entities in carrying out the
20 projects.

21 “(7) EVALUATIONS.—

22 “(A) IN GENERAL.—The Secretary shall,
23 by grant, contract, or interagency agreement,
24 conduct rigorous and well-designed evaluations
25 of the demonstration projects for which a grant

1 is made under this subsection, which shall in-
2 clude identification of successful activities for
3 creating opportunities for developing and sus-
4 taining, particularly with respect to low-income
5 individuals with arrest or conviction records, a
6 health professions workforce that has accessible
7 entry points, that meets high standards for edu-
8 cation, training, certification, and professional
9 development, and that provides increased wages
10 and affordable benefits, including health care
11 coverage, that are responsive to the needs of the
12 workforce.

13 “(B) RULE OF INTERPRETATION.—Eval-
14 uations conducted pursuant to this paragraph
15 may include a randomized controlled trial, but
16 this paragraph shall not be interpreted to re-
17 quire an evaluation to include such a trial.

18 “(8) DEFINITIONS.—In this subsection:

19 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
20 ble entity’ means any of the following entities
21 that demonstrates in an application submitted
22 under this subsection that the entity has the ca-
23 pacity to fully develop and administer the dem-
24 onstration project described in the application:

1 “(i) A local workforce development
2 board established under section 107 of the
3 Workforce Innovation and Opportunity
4 Act.

5 “(ii) A State or territory, a political
6 subdivision of a State or territory, or an
7 agency of a State, territory, or such a po-
8 litical subdivision.

9 “(iii) An Indian tribe, a tribal organi-
10 zation, or a tribal college or university.

11 “(iv) An institution of higher edu-
12 cation (as defined in the Higher Education
13 Act of 1965).

14 “(v) A hospital (as defined in section
15 1861(e)).

16 “(vi) A skilled nursing facility (as de-
17 fined in section 1819(h)(1)(A)).

18 “(vii) A Federally qualified health
19 center (as defined in section 1861(aa)(4)).

20 “(viii) A nonprofit organization de-
21 scribed in section 501(c)(3) of the Internal
22 Revenue Code of 1986, a labor organiza-
23 tion, or an entity with shared labor-man-
24 agement oversight, that has a dem-

1 onstrated history of providing health pro-
2 fession training to eligible individuals.

3 “(ix) An opioid treatment program (as
4 defined in section 1861(iii)(2)).

5 “(B) ELIGIBLE INDIVIDUAL.—The term
6 ‘eligible individual’ means an individual whose
7 income does not exceed 138 percent of the Fed-
8 eral poverty level.

9 “(9) APPROPRIATION.—Out of any funds in the
10 Treasury of the United States not otherwise appro-
11 priated, there are appropriated to the Secretary to
12 carry out this subsection \$10,000,000 for fiscal year
13 2020.”.

14 **SEC. 3. EFFECTIVE DATE.**

15 The amendment made by this Act shall take effect
16 on October 1, 2019.

○