

116TH CONGRESS
2D SESSION

S. 3726

To recruit qualified foreign nationals residing in the United States to provide healthcare during a public health emergency at healthcare facilities operated by the Department of Health and Human Services, the Department of Defense, or the Department of Veterans Affairs.

IN THE SENATE OF THE UNITED STATES

MAY 13, 2020

Mr. CRUZ introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To recruit qualified foreign nationals residing in the United States to provide healthcare during a public health emergency at healthcare facilities operated by the Department of Health and Human Services, the Department of Defense, or the Department of Veterans Affairs.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Allowing All to Serve
5 Act”.

1 **SEC. 2. PUBLIC HEALTH EMERGENCY HEALTHCARE PRO-**
2 **GRAM.**

3 (a) ESTABLISHMENT.—The Secretary of Health and
4 Human Services, in consultation with the Secretary of
5 Homeland Security, the Secretary of Defense, and the
6 Secretary of Veterans Affairs, shall establish a program
7 for recruiting aliens who are lawfully present in the United
8 States and have medical training to provide healthcare
9 during the COVID–19 public health emergency at
10 healthcare facilities owned, operated, or managed by—

11 (1) the Department of Health and Human
12 Services;

13 (2) the Department of Defense; or

14 (3) the Department of Veterans Affairs.

15 (b) ELIGIBLE ALIENS.—An alien may participate in
16 the program established pursuant to subsection (a) if the
17 alien—

18 (1) was admitted to the United States, and has
19 been lawfully residing in the United States continu-
20 ously during the most recent 2-year period—

21 (A) as a refugee under section 207 of the
22 Immigration and Nationality Act (8 U.S.C.
23 1157);

24 (B) as an asylee under section 208 of such
25 Act (8 U.S.C. 1158); or

1 (C) in temporary protected status under
2 section 244 of such Act (8 U.S.C. 1254a);

3 (2) is a qualified healthcare provider, whose
4 healthcare services are needed at a facility referred
5 to in subsection (a) to meet increased staffing needs
6 to respond to the COVID–19 pandemic;

7 (3) possesses medical training or skills that are
8 relevant to the diagnosis, treatment, or prevention of
9 COVID–19; and

10 (4) meets all other qualification criteria consid-
11 ered necessary by the Federal Department to which
12 the alien is assigned.

13 (c) MAXIMUM PARTICIPANTS.—Not more than
14 10,000 eligible aliens may participate in the program es-
15 tablished pursuant to subsection (a).

16 (d) LENGTH OF PARTICIPATION.—Eligible aliens se-
17 lected to participate in the program—

18 (1) shall commit to remain in the program until
19 the earlier of—

20 (A) 6 months after the date on which the
21 alien began such participation; or

22 (B) the date set forth in paragraph (2);
23 and

24 (2) may participate in the program established
25 pursuant to subsection (a) until the date on which

1 the national emergency declared by the President
2 under the National Emergencies Act (50 U.S.C.
3 1601 et seq.) with respect to COVID–19 is termi-
4 nated.

5 (e) SUPERVISION.—Program participants shall be di-
6 rectly supervised by medical professionals who have a cur-
7 rent license to practice medicine in the United States, in
8 accordance with guidelines promulgated by the Secretary
9 of Health and Human Services, the Secretary of Defense,
10 or the Secretary of Veterans Affairs, as applicable.

11 (f) NON-PREFERENCE.—Nothing in this section may
12 be construed to authorize the Department of Health and
13 Human Services, the Department of Defense, or the De-
14 partment of Veterans Affairs to give preference to the re-
15 cruitment of healthcare providers described in subsection
16 (b) over the recruitment of healthcare providers otherwise
17 authorized to work in the United States who are not de-
18 scribed in such subsection.

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