



(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To permit the use of health care workforce platforms during declared emergencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROUZER introduced the following bill; which was referred to the Committee on _____

A BILL

To permit the use of health care workforce platforms during declared emergencies, and for other purposes.

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 “Strategic Teams for
5 Organized Response Mobilization Act” or the “STORM
6 Act”.

1 **SEC. 2. USE OF HEALTH CARE WORKFORCE PLATFORMS**
2 **DURING STATE OF EMERGENCY.**

3 Title V of the Robert T. Stafford Disaster Relief and
4 Emergency Assistance Act (42 U.S.C. 5191 et seq.) is
5 amended by adding at the end the following:

6 **“SEC. 504. HEALTH CARE WORKFORCE PLATFORMS.**

7 “(a) **DEFINITIONS.**—In this section:

8 “(1) **EMERGENCY.**—The term ‘emergency’
9 means an emergency declared under section 501.

10 “(2) **HEALTH CARE WORKFORCE PLATFORM.**—
11 The term ‘health care workforce platform’ means a
12 private entity technology platform that—

13 “(A) partners with credentialed inde-
14 pendent contractor health care workers;

15 “(B) has the capability to facilitate health
16 care workforce surge capacity during an emer-
17 gency; and

18 “(C) is self-sustaining during times other
19 than those in which an emergency is declared.

20 “(3) **INDEPENDENT CONTRACTOR HEALTH**
21 **CARE WORKER.**—The term ‘independent contractor
22 health care worker’ means a health care professional
23 who—

24 “(A) holds a valid license to practice as a
25 health care professional in not less than 1
26 State;

1 “(B) provides health care services on a
2 contractual basis, rather than as an employee of
3 a health care facility or organization;

4 “(C) is credentialed and verified by a
5 health care workforce platform; and

6 “(D) is engaged to respond to health care
7 needs during an emergency.

8 “(b) PUBLIC-PRIVATE PARTNERSHIP.—

9 “(1) CERTIFICATION.—The President may cer-
10 tify health care workforce platforms as eligible to
11 enter into an agreement under paragraph (2).

12 “(2) VOLUNTARY AGREEMENTS.—

13 “(A) IN GENERAL.—The President may
14 enter into an agreement with a health care
15 workforce platform certified under paragraph
16 (1) under which the President may use the
17 health care workforce platform for the duration
18 of any emergency declared during the term of
19 the agreement.

20 “(B) TERM.—The duration of the term of
21 an agreement entered into under subparagraph
22 (A) shall be not less than 1 year.

23 “(c) FACILITATION OF STATE LICENSURE WAIV-
24 ERS.—

1 “(1) IN GENERAL.—During any emergency, the
2 President may coordinate with States to facilitate a
3 waiver of licensure requirements of the State for
4 out-of-state independent contractor health care
5 workers responding to an emergency through a
6 health care workforce platform with which the Presi-
7 dent has entered into an agreement under subsection
8 (b)(2) if—

9 “(A) the services of the independent con-
10 tractor health care worker are being used by
11 the President or the State or a local govern-
12 ment affected by the emergency for the purpose
13 of responding to the emergency; and

14 “(B) the independent contractor health
15 care worker holds a valid license to practice as
16 a health care worker in not less than 1 State.

17 “(2) PROCEDURES AND CRITERIA.—The Presi-
18 dent shall establish model procedures and criteria
19 for the waiver of State licensure requirements under
20 paragraph (1) that a State affected by an emergency
21 may adopt at the time of the emergency that—

22 “(A) include requirements that inde-
23 pendent contractor health care workers dem-
24 onstrate qualifications and undergo background
25 checks;

1 “(B) prioritize the expedited deployment of
2 qualified independent contractor health care
3 workers to areas affected by an emergency; and

4 “(C) may rely on vetting of independent
5 contractor health care workers by a health care
6 workforce platform with which the President
7 has entered into an agreement under subsection
8 (b)(2).

9 “(3) COORDINATION WITH STATE AUTHORI-
10 TIES.—In carrying out this subsection, the President
11 shall—

12 “(A) coordinate with relevant State au-
13 thorities to ensure the efficient implementation
14 of licensure waivers or temporary licenses; and

15 “(B) consider State-specific regulations
16 and requirements.

17 “(d) REPORTING REQUIREMENTS.—Not later than 1
18 year after the date of enactment of the Strategic Teams
19 for Organized Response Mobilization Act, and annually
20 thereafter, the President shall submit to Congress a report
21 on the use of State licensure waivers during emergencies
22 under this section, including—

23 “(1) information on the number of independent
24 contractor health care workers for whom a State

1 waives a licensure requirement under subsection
2 (e)(1) to facilitate deployment during an emergency;

3 “(2) the duration of the deployment of inde-
4 pendent contractor health care workers described in
5 paragraph (1); and

6 “(3) any challenges encountered in the process
7 of carrying out subsection (e)(1).

8 “(e) LIABILITY PROTECTIONS.—

9 “(1) IN GENERAL.—Subject to paragraph (2),
10 an independent contractor health care worker or
11 health care workforce platform that engages in ac-
12 tivities authorized under this title and complies with
13 or reasonably attempt to comply with this title shall
14 not be liable for any injury or damage sustained to
15 a person or property as a result of such activities.

16 “(2) EXCEPTION.—Paragraph (1) shall not
17 apply in a case of willful misconduct, gross neg-
18 ligence, or bad faith.

19 “(3) FEDERAL TORT CLAIMS ACT.—Any private
20 entity, including an independent contractor health
21 care worker and a health care workforce platform,
22 that enters into a contract or agreement with the
23 Federal Government or acts at the direction of a
24 Federal agency to respond to an emergency during
25 an emergency the primary responsibility for the re-

1 sponse to which the President determines rests with
2 the United States under section 501(b), shall be
3 deemed an employee of the government for purposes
4 of chapter 171 of title 28, United States Code, with
5 respect to claims arising from acts or omissions
6 within the scope of such contract or agreement.

7 “(4) APPLICABILITY.—This subsection shall
8 apply only to activities—

9 “(A) conducted in response to an emer-
10 gency the primary responsibility for the re-
11 sponse to which the President determines rests
12 with the United States under section 501(b);
13 and

14 “(B) that are within the scope of the du-
15 ties authorized by this Act.

16 “(5) REGULATIONS.—The President shall issue
17 such regulations as are necessary to implement this
18 section, including regulations to determine the appli-
19 cability of chapter 171 of title 28, United States
20 Code, to independent contractor health care workers
21 and health care workforce platforms under this sec-
22 tion.”.