Sixty-fourth Legislative Assembly of North Dakota

# FIRST ENGROSSMENT with Conference Committee Amendments ENGROSSED HOUSE BILL NO. 1396

Introduced by

Representatives Sukut, Damschen, Fehr, Hatlestad, Lefor, Rohr

Senator Bekkedahl

- 1 A BILL for an Act to provide student loan repayment programs for health care professionals; to
- 2 repeal chapters 43-12.2 and 43-17.2 of the North Dakota Century Code, relating to student loan
- 3 repayment programs for health care professionals; to provide for a continuing appropriation;
- 4 and to provide for an application.

## 5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

### 6 SECTION 1.

### 7 <u>Student loan repayment programs - Health care professionals.</u>

- 8 The health council shall administer student loan repayment programs, as established by
- 9 this chapter, for health care professionals willing to provide services in areas of this state that
- 10 <u>have a defined need for such services.</u>

### 11 **SECTION 2**.

### 12 Application process.

- 13 The health council shall develop an application process for public and private entities
- 14 seeking to fill health care needs and for health care professionals willing to provide necessary
- 15 services in exchange for benefits under a student loan repayment program.

### 16 **SECTION 3**.

## 17 Public and private entities - Selection criteria - Matching funds.

- <u>1.</u> <u>The health council shall establish criteria to be used in selecting public and private</u>
   <u>entities for participation in a program. The criteria must include:</u>
- 20 <u>a.</u> <u>The number of health care professionals, by specified field, already providing</u>
   21 <u>services in the area;</u>
- 22 b. Access to health care services in the area; and
- 23 <u>c.</u> <u>The level of support from the area.</u>

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1	<u>2.</u>	<u>The</u>	health council may consult with health care and social service providers,
2		<u>adv</u>	ocacy groups, governmental entities, and others in establishing criteria and
3		<u>eva</u>	luating needs based on the criteria.
4	<u>3.</u>	<u>An e</u>	entity may not be selected for participation unless it contractually commits to
5		prov	vide matching funds equal to the amount required for a loan repayment program in
6		acc	ordance with section 6 of this Act.
7	SE	стю	N 4.
8	<u>Pul</u>	blic ai	nd private entities - Eligibility for participation - Priority.
9	<u>In s</u>	electi	ng public and private entities for participation in a program the health council shall
10	<u>give pri</u>	ority te	o an entity that:
11	<u>1.</u>	Mee	ets the selection criteria;
12	<u>2.</u>	<u>Is Ic</u>	cated in an area that is statistically underserved; and
13	<u>3.</u>	<u>Is Ic</u>	cated at least twenty miles [32.18 kilometers] outside the boundary of a city having
14		mor	e than forty thousand residents.
15	SECTION 5.		
16	<u>Hea</u>	alth ca	are professionals - Selection criteria.
16 17	<u>Hea</u> <u>1.</u>		are professionals - Selection criteria. health council shall establish criteria to be used in selecting health care
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17 18		<u>The</u> prof	health council shall establish criteria to be used in selecting health care essionals for participation in a student loan repayment program. The criteria must
17 18 19		<u>The</u> prof inclu	health council shall establish criteria to be used in selecting health care essionals for participation in a student loan repayment program. The criteria must ude:
17 18 19 20		<u>The</u> prof inclu <u>a.</u>	health council shall establish criteria to be used in selecting health care essionals for participation in a student loan repayment program. The criteria must ude: The health care professional's specialty;
17 18 19 20 21		<u>The</u> prof inclu a. b.	health council shall establish criteria to be used in selecting health care ressionals for participation in a student loan repayment program. The criteria must ude: The health care professional's specialty; The need for the health care professional's specialty within an area;
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2       an entity that meets the requirements of section 4:         3       (2) Provides telehealth services to a second entity that meets the requirements.         4       of section 4; and         5       (3) Verifies that the services provided under paragraphs 1 and 2 are equal to.         6       the full-time requirement of subdivision a.         7       3. In selecting health care professionals for participation in a program, the health council may consider an individual's:         9       a. Length of residency in this state; and         10       b. Attendance at an in-state or an out-of-state institution of higher education.         11       SECTION 6.         12       Student loan repayment program - Contract.         13       1. The health council shall enter into a contract with a selected health care professional.         14       The health council shall agree to provide student loan repayments on behalf of the selected health care professional subject to the requirements and limitations of this section.         16       section.         17       a. For a physician:         18       (1) The loan repayment must be equal to twenty thousand dollars per year; and         19       (2) The matching funds must equal lifty percent of the amount required in paragraph 1.         21       b. For a clinical psychologist:         22       (1) The loan repayment must be equal to twenty tho	1		<u>b.</u>	<u>(1)</u>	Is physically present at and provides services on at least a half-time basis to
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21       b. For a clinical psychologist:         22       (1) The loan repayment must be equal to twelve thousand dollars per year; and         23       (2) The matching funds must equal twenty-five percent of the amount required in paragraph 1.         25       c. For an advanced practice registered nurse or a physician assistant:         26       (1) The loan repayment must be equal to four thousand dollars per year; and         27       (2) The matching funds must equal ten percent of the amount required in paragraph 1.         28       paragraph 1.         29       d. (1) For a behavioral health professional:         30       (a) The loan repayment must be equal to four thousand dollars per year;	19			<u>(2)</u>	The matching funds must equal fifty percent of the amount required in
<ul> <li>(1) The loan repayment must be equal to twelve thousand dollars per year; and</li> <li>(2) The matching funds must equal twenty-five percent of the amount required in paragraph 1.</li> <li>(2) The matching funds must equal twenty-five percent of the amount required in paragraph 1.</li> <li>(1) The loan repayment must be equal to four thousand dollars per year; and</li> <li>(2) The matching funds must equal ten percent of the amount required in paragraph 1.</li> <li>(2) The matching funds must equal ten percent of the amount required in paragraph 1.</li> <li>(3) The loan repayment must be equal to four thousand dollars per year;</li> </ul>	20				paragraph 1.
<ul> <li>(2) The matching funds must equal twenty-five percent of the amount required in paragraph 1.</li> <li>(2) The matching funds must equal twenty-five percent of the amount required in paragraph 1.</li> <li>(1) The loan repayment must be equal to four thousand dollars per year; and</li> <li>(2) The matching funds must equal ten percent of the amount required in paragraph 1.</li> <li>(2) The matching funds must equal ten percent of the amount required in paragraph 1.</li> <li>(1) For a behavioral health professional:</li> <li>(a) The loan repayment must be equal to four thousand dollars per year;</li> </ul>	21		<u>b.</u>	<u>For</u>	a clinical psychologist:
24       in paragraph 1.         25       c. For an advanced practice registered nurse or a physician assistant:         26       (1) The loan repayment must be equal to four thousand dollars per year; and         27       (2) The matching funds must equal ten percent of the amount required in         28       paragraph 1.         29       d. (1) For a behavioral health professional:         30       (a) The loan repayment must be equal to four thousand dollars per year;	22			<u>(1)</u>	The loan repayment must be equal to twelve thousand dollars per year; and
<ul> <li>25</li> <li><u>c.</u> For an advanced practice registered nurse or a physician assistant:</li> <li>26</li> <li>(1) The loan repayment must be equal to four thousand dollars per year; and</li> <li>27</li> <li>(2) The matching funds must equal ten percent of the amount required in</li> <li><u>paragraph 1.</u></li> <li>29</li> <li><u>d.</u> (1) For a behavioral health professional:</li> <li>30</li> <li>(a) The loan repayment must be equal to four thousand dollars per year:</li> </ul>	23			<u>(2)</u>	The matching funds must equal twenty-five percent of the amount required
<ul> <li>26 (1) The loan repayment must be equal to four thousand dollars per year; and</li> <li>27 (2) The matching funds must equal ten percent of the amount required in</li> <li>28 paragraph 1.</li> <li>29 d. (1) For a behavioral health professional:         <ul> <li>(a) The loan repayment must be equal to four thousand dollars per year;</li> </ul> </li> </ul>	24				in paragraph 1.
<ul> <li>27 (2) The matching funds must equal ten percent of the amount required in</li> <li>28 paragraph 1.</li> <li>29 d. (1) For a behavioral health professional:</li> <li>30 (a) The loan repayment must be equal to four thousand dollars per year;</li> </ul>	25		<u>C.</u>	<u>For</u>	an advanced practice registered nurse or a physician assistant:
28     paragraph 1.       29     d. (1)       30     (a)       The loan repayment must be equal to four thousand dollars per year;	26			<u>(1)</u>	The loan repayment must be equal to four thousand dollars per year; and
29d. (1)For a behavioral health professional:30(a)The loan repayment must be equal to four thousand dollars per year;	27			<u>(2)</u>	The matching funds must equal ten percent of the amount required in
30 (a) The loan repayment must be equal to four thousand dollars per year;	28				paragraph 1.
	29		<u>d.</u>	(1)	For a behavioral health professional:
31 <u>and</u>	30				(a) The loan repayment must be equal to four thousand dollars per year;
	31				and

1				<u>(b)</u>	The matching funds must equal ten percent of the amount required in
2					subparagraph a.
3			<u>(2)</u>	<u>For p</u>	purposes of this subdivision, a behavioral health professional means an
4				<u>indiv</u>	idual who practices in the behavioral health field and is:
5				<u>(a)</u>	A licensed addiction counselor;
6				<u>(b)</u>	A licensed professional counselor;
7				<u>(c)</u>	A licensed social worker;
8				<u>(d)</u>	A registered nurse; or
9				<u>(e)</u>	A specialty practice registered nurse.
10	<u>2.</u>	<u>a.</u>	<u>Pay</u>	ments	under this section must be made on behalf of the health care
11			prof	essior	al directly to the Bank of North Dakota or to another participating
12			lenc	ding in	stitution.
13		<u>b.</u>	<u>Exc</u>	ept as	otherwise provided, payments under this section may be made only at
14			<u>the</u>	<u>conclu</u>	sion of each twelve month period of service.
15		<u>C.</u>	Pro	rated p	payments may be made only if:
16			<u>(1)</u>	<u>The</u>	repayment of the loan requires less than a full annual payment;
17			<u>(2)</u>	The	health care professional is terminated or resigns from his or her
18				posit	ion; or
19			<u>(3)</u>	The	health care professional is unable to complete a twelve month period of
20				<u>servi</u>	ce due to the individual's death, a certifiable medical condition or
21				<u>disal</u>	bility, or a call to military service.
22	<u>3.</u>	<u>Pay</u>	<u>/ment</u>	s unde	er this section terminate upon the earlier of:
23		<u>a.</u>	<u>The</u>	full re	payment of the health care professional's student loan; or
24		<u>b.</u>	<u>The</u>	comp	letion of five years as a participant in the student loan repayment
25			prog	gram.	
26	<u>4.</u>	The	e heal	<u>th cou</u>	ncil shall waive the requirements of this section that pertain to matching
27		fune	ds if tl	he hea	alth care professional opens a new practice as a solo practitioner in a
28		<u>city</u>	that I	has fe	wer than fifteen thousand residents.
29	SEC		N 7.		
30	Pov	vers	of the	e heal	th council - Continuing appropriation.
31	<u>1.</u>	<u>The</u>	e heal	<u>th cou</u>	ncil may:

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1		<u>a.</u>	Receive and expend any gifts, grants, and other funds for the purposes of this	
2			program;	
3		<u>b.</u>	Participate in any federal programs providing for the repayment of student loans	
4			on behalf of health care professionals; and	
5		<u>C.</u>	Do all things necessary and proper for the administration of this chapter.	
6	<u>2.</u>	<u>All ı</u>	moneys received by the health council under this section are appropriated to the	
7		<u>hea</u>	Ith council on a continuing basis, to be used exclusively for the purposes of this	
8		<u>cha</u>	pter.	
9	SECTION 8. REPEAL. Chapters 43-12.2 and 43-17.2 of the North Dakota Century Code			
10	are repe	ealed		
11	SECTION 9. APPLICATION. This Act applies to loan repayment contracts entered into on			
12	or after August 1, 2015. Any loan repayment contract entered into before August 1, 2015, in			
13	accordance with chapter 43-12.2, is governed by chapter 43-12.2, as it existed on July 31,			
14	2015. Any loan repayment contract entered into before August 1, 2015, in accordance with			
15	chapter 43-17.2, is governed by chapter 43-17.2, as it existed on July 31, 2015.			