

Sixty-fifth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2162

Introduced by

Senators J. Lee, Dever, O. Larsen, Heckaman

Representatives Heinert, Olson

1 A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota  
2 Century Code, relating to professional student exchange programs; to amend and reenact  
3 sections 43-28.1-01 and 43-28.1-03 of the North Dakota Century Code, relating to the dental  
4 student loan repayment program; to provide for a legislative management study; and to provide  
5 for application.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created  
8 and enacted as follows:

9 **Professional student exchange programs - Bank of North Dakota - Agreements -**  
10 **Repayment.**

- 11 1. The state board of higher education may not make a payment to an out-of-state  
12 institution on behalf of an individual participating in a professional student exchange  
13 program in dentistry, optometry, or veterinary medicine, unless that individual signed a  
14 legally binding agreement with the state board of higher education which identifies the  
15 amount of the award under the professional student exchange program.
- 16 2. If the individual who signed the agreement under subsection 1 is not practicing  
17 dentistry, optometry, or veterinary medicine in this state within thirty-six months  
18 following graduation or of leaving the education program, the individual shall repay the  
19 amount of the agreement in full at that time.
- 20 3. If the individual who signed the agreement under subsection 1 practices dentistry,  
21 optometry, or veterinary medicine in this state within thirty-six months following  
22 graduation, the state board of higher education shall reduce the amount of the  
23 agreement by one-third, for each full year the individual continues practicing in the  
24 state. If the individual stops practicing in this state before the amount of the agreement

- 1           is waived in its entirety, the individual shall repay the remaining portion of the  
2           agreement in full from the date the individual stopped practicing in the state.
- 3           4. If the individual who signed the agreement under subsection 1 departs before  
4           graduation from a program in dentistry, optometry, or veterinary medicine, at the time  
5           of departure that individual shall repay the amount of the agreement in full.
- 6           5. The Bank of North Dakota shall allow an individual who is required to repay all or a  
7           portion of an agreement under this section to utilize one of the bank's student loan  
8           programs as an option for repayment, up to the amount certified by the state board of  
9           higher education. To qualify under this subsection, the individual must meet student  
10           loan credit criteria as established by the bank.
- 11           6. The state board of higher education shall defer any repayment of an agreement  
12           otherwise due under this section for the period of time the individual who signed the  
13           agreement is pursuing full-time graduate or postdoctoral studies or is called to active  
14           duty as a member of the armed forces. The repayment provisions under an agreement  
15           signed under this section must provide for cancellation of the repayment requirements  
16           if the individual dies or becomes permanently or totally disabled.
- 17           7. The state board of higher education shall adopt rules implementing this section. The  
18           state board of higher education shall confirm eligibility, to the bank, of any individual  
19           who uses the bank's student loan program to repay any outstanding agreement  
20           amounts in full.

21           **SECTION 2. AMENDMENT.** Section 43-28.1-01 of the North Dakota Century Code is  
22 amended and reenacted as follows:

23           **43-28.1-01. Loan repayment program - Dentists - Defined need - Maximum amount of**  
24 **funds.**

25           ~~Each year~~Annually, the state health council shall select, from a pool of applicants, dentists  
26 who ~~shall~~will provide dental services in cities or surrounding areas, or both, in this state which  
27 the state health council identifies as having a defined need for dental services. The dentists  
28 selected from this pool of applicants ~~may include dentists who will~~must agree to accept  
29 medicaid patients and assignments or provide dental services in a public health clinic, a  
30 practice with a focus on an underserved population, or a nonprofit dental clinic. ~~The dentists-~~  
31 ~~are~~A selected dentist who agrees to the terms of this program is eligible to receive funds for the

1 repayment of ~~their~~the dentist's education loans. The funds, which are payable over a five-year  
2 period, may not exceed one hundred thousand dollars per applicant. If the state health council  
3 accepts any gifts, grants, or donations under this chapter, the council may select additional  
4 dentists for participation in the loan repayment program under this chapter.

5 **SECTION 3. AMENDMENT.** Section 43-28.1-03 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **43-28.1-03. Criteria.**

- 8 1. The health council shall establish criteria to be used in selecting qualified dentists and  
9 in identifying cities or surrounding areas, or both, that have a defined need for dental  
10 services. The criteria must include consideration of:
- 11 a. The number of dentists already providing dental services in the city or  
12 surrounding areas, or both;
  - 13 b. Access to dental services in the city and the surrounding areas;
  - 14 c. How the dentist will provide dental services to individuals on medical assistance  
15 or in a public health clinic, a practice with a focus on an underserved population,  
16 or a nonprofit dental clinic; and
  - 17 d. The dentist's training in general dentistry or in a dental specialty and the extent to  
18 which such services are needed in the identified city or surrounding areas, or  
19 both.
- 20 2. As a term of receipt of funds under this chapter, a dentist shall accept medical  
21 assistance patients and assignments or provide dental services in a public health  
22 clinic, a practice with a focus on an underserved population, or a nonprofit dental  
23 clinic. For purposes of a dentist selected for loan payment under this chapter who  
24 practices within fifteen miles [24.14 kilometers] of the city limits of one of the three  
25 largest cities in the state, to qualify to receive a yearly disbursement under this chapter  
26 during that year of obligated service, the dentist must have:
- 27 a. Received dental medical payments of at least twenty thousand dollars in the form  
28 of medical assistance reimbursement; or
  - 29 b. Practiced at least two full workdays per week at a public health clinic or at a  
30 nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental  
31 clinic's patients.

1           3.    The health council may consult with public and private sector entities in establishing  
2                    criteria and evaluating needs based on the criteria.

3           **SECTION 4. LEGISLATIVE MANAGEMENT STUDY - PROFESSIONAL STUDENT**

4           **EXCHANGE PROGRAM AND WESTERN INTERSTATE COMMISSION FOR HIGHER**

5           **EDUCATION.** During the 2017-18 interim, the legislative management shall consider studying  
6           and evaluating the current agreements and participation with the western interstate commission  
7           for higher education and the professional student exchange program. The legislative  
8           management shall report its findings and recommendations, together with any legislation  
9           required to implement the recommendations, to the sixty-sixth legislative assembly.

10          **SECTION 5. APPLICATION.** Section 1 of this Act applies to individuals initially entering a  
11          professional student exchange program in dentistry, optometry, or veterinary medicine after  
12          June 30, 2018. Sections 2 and 3 of this Act apply to dental loan repayment contracts entered on  
13          or after the effective date of this Act.