

Sixty-fourth
Legislative Assembly
of North Dakota

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 ~~nurse practitioners, physician assistants, certified nurse midwives, and~~
4 ~~physicians~~health care professionals; to provide for a continuing appropriation; and to provide for
5 an application.

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

7 **SECTION 1.**

8 **Student loan repayment programs - Health care professionals.**

9 The health council shall administer student loan repayment programs, as established by
10 this chapter, for healthcare professionals willing to provide services in ~~cities~~areas of this state
11 that have a defined need for such services.

12 **SECTION 2.**

13 **Application process.**

14 The health council shall develop an application process for ~~cities~~public and private entities
15 seeking to fill health care needs and for healthcare professionals willing to provide necessary
16 services, including providing medical behavioral health services via telecommunication and
17 information technologies, in exchange for benefits under a student loan repayment program.

18 **SECTION 3.**

19 **CitiesPublic and private entities - Selection criteria - Matching funds.**

- 20 1. The health council shall establish criteria to be used in selecting ~~cities~~public and
21 private entities for participation in a program. The criteria must include:
- 22 a. The number of healthcare professionals, by specified field, already providing
23 services in the ~~city~~area;
- 24 b. Access to healthcare services in the ~~city and the surrounding~~area; and

- 1 c. The level of support from the ~~city and the surrounding area~~.
- 2 2. The health council may consult with ~~public and private sector entities~~ health care and
- 3 social service providers, advocacy groups, governmental entities, and others, in
- 4 establishing criteria and evaluating needs based on the criteria.
- 5 3. ~~A city~~ An entity may not be selected for participation unless it contractually commits to
- 6 provide matching funds equal to the amount required for a loan repayment program in
- 7 accordance with section 6 of this Act.

8 **SECTION 4.**

9 **Cities** Public and private entities - Eligibility for participation - Priority.

10 In selecting cities public and private entities for participation in a program, the health council

11 shall give priority, ~~in descending order, to those cities that meet the selection criteria, or to a~~

12 ~~practice with a focus on an underserved population and:~~

- 13 ~~1. Have fewer than fifteen thousand residents;~~
- 14 ~~2. a. Have at least fifteen thousand residents, but fewer than thirty thousand residents;~~
- 15 ~~and~~
- 16 ~~b. Do not belong to a metropolitan statistical area; or~~
- 17 ~~3. Have at least thirty thousand residents to entities that:~~
- 18 1. Meet the selection criteria; and
- 19 2. Are located in or able to provide telemedicine services to areas that are:
- 20 a. Statistically underserved; and
- 21 b. Located outside of a metropolitan statistical area.

22 **SECTION 5.**

23 **Healthcare professionals - Selection criteria.**

- 24 1. The health council shall establish criteria to be used in selecting healthcare
- 25 professionals for participation in a student loan repayment program. The criteria must
- 26 include:
- 27 a. The healthcare professional's specialty;
- 28 b. The need for the healthcare professional's specialty within ~~a city~~ an area;
- 29 c. The healthcare professional's education and experience;
- 30 d. The health care professional's date of availability and anticipated term of
- 31 availability; and

1 e. The health care professional's willingness to accept medicare and Medicaid
2 assignments, if applicable.

3 ~~2. The health council shall give priority to healthcare professionals who graduated from~~
4 ~~an institution of higher education in this state.~~

5 2. In selecting health care professionals for participation in a program, the health council
6 may consider an individual's:

7 a. Length of residency in this state; and

8 b. Attendance at an in-state or an out-of-state institution of higher education.

9 **SECTION 6.**

10 **Student loan repayment program - Contract.**

11 1. The health council shall enter into a contract with a selected health care professional.
12 The health council shall agree to provide student loan repayments on behalf of the
13 selected health care professional subject to the requirements and limitations of this
14 section.

15 a. For a physician:

16 (1) The loan repayment must be equal to twenty thousand dollars per year; and

17 (2) The matching funds must equal fifty percent of the amount required in
18 paragraph 1.

19 b. For a clinical psychologist:

20 (1) The loan repayment must be equal to twelve thousand dollars per year; and

21 (2) The matching funds must equal twenty-five percent of the amount required
22 in paragraph 1.

23 c. ~~For a nurse practitioner, an advanced practice registered nurse or a physician~~
24 ~~assistant, or certified nurse midwife:~~

25 (1) The loan repayment must be equal to four thousand dollars per year; and

26 (2) The matching funds must equal ten percent of the amount required in
27 paragraph 1.

28 d. (1) For a behavioral health professional:

29 (a) The loan repayment must be equal to four thousand dollars per year;
30 and

1 (b) The matching funds must equal ten percent of the amount required in
2 paragraph 1.

3 (2) For purposes of this subdivision, a behavioral health professional means an
4 individual who practices in the behavioral health field and is:

5 ~~(a) An advanced practice registered nurse;~~

6 **(b)(a)** A licensed ~~addition~~addiction counselor;

7 ~~(c) A licensed practical nurse;~~

8 **(d)(b)** A licensed professional counselor;

9 **(e)(c)** A licensed social worker;

10 **(f)(d)** A registered nurse; or

11 **(g)(e)** A specialty practice registered nurse.

12 2. a. Payments under this section must be made on behalf of the health care
13 professional directly to the Bank of North Dakota or to another participating
14 lending institution.

15 b. Except as otherwise provided, payments under this section may be made only at
16 the conclusion of each twelve month period of service.

17 c. Prorated payments may be made only if:

18 (1) The repayment of the loan requires less than a full annual payment;

19 (2) The health care professional is terminated or resigns from his or her
20 position; or

21 (3) The health care professional is unable to complete a twelve month period of
22 service due to the individual's death, a certifiable medical condition or
23 disability, or a call to military service.

24 3. Payments under this section terminate upon the earlier of:

25 a. The full repayment of the health care professional's student loan; or

26 b. The completion of five years as a participant in the student loan repayment
27 program.

28 **SECTION 7.**

29 **Powers of the health council - Continuing appropriation.**

30 1. The health council may:

- 1 a. Receive and expend any gifts, grants, and other funds for the purposes of this
- 2 program;
- 3 b. Participate in any federal programs providing for the repayment of student loans
- 4 on behalf of health care professionals; and
- 5 c. Do all things necessary and proper for the administration of this chapter.
- 6 2. All moneys received by the health council under this section are appropriated to the
- 7 health council on a continuing basis, to be used exclusively for the purposes of this
- 8 Act.

9 **SECTION 8. REPEAL.** Chapters 43-12.2 and 43-17.2 of the North Dakota Century Code
10 are repealed.

11 **SECTION 9. APPLICATION.** This Act applies to loan repayment contracts entered into on
12 or after August 1, 2015. Any ~~nurse practitioner, physician assistant, or certified nurse midwife~~
13 loan repayment contract entered into before August 1, 2015, in accordance with chapter
14 43-12.2, is governed by chapter 43-12.2, as it existed on July 31, 2015. Any ~~physician~~-loan
15 repayment contract entered into before August 1, 2015, in accordance with chapter 43-17.2, is
16 governed by chapter 43-17.2, as it existed on July 31, 2015.