

**SENATE BILL NO. 2205
with House Amendments
SENATE BILL NO. 2205**

Introduced by

Senator Bekkedahl

Representatives Hawken, Hofstad, Keiser, Meier

1 A BILL for an Act to amend and reenact sections 43-28.1-01, 43-28.1-03, 43-28.1-04,
2 43-28.1-05, and 43-28.1-09 of the North Dakota Century Code, relating to the dentists' loan
3 repayment program; to repeal sections 43-28.1-01.1, 43-28.1-02, and 43-28.1-10 of the North
4 Dakota Century Code, relating to the loan repayment program for dentists in public health and
5 nonprofit dental clinics and new practice grants for dentists; and to provide for application.

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

7 **SECTION 1. AMENDMENT.** Section 43-28.1-01 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **43-28.1-01. Loan repayment program - Dentists - Cities with defined need - Maximum**
10 **amount of funds.**

11 Each year the state health council shall select, from a pool of applicants ~~no more than~~
12 ~~three,~~ dentists who shall provide dental services ~~to communities in cities~~ in this state which the
13 state health council identifies as having a defined need for dental services. The dentists
14 selected from this pool of applicants may include dentists who will provide dental services in a
15 public health clinic, a practice with a focus on an underserved population, or a nonprofit dental
16 clinic. The dentists are eligible to receive funds for the repayment of their education loans. The
17 funds, which are payable over a ~~four-year~~five-year period, may not exceed ~~eightyone hundred~~
18 thousand dollars per applicant. If the state health council accepts any gifts, grants, or donations
19 under this chapter, the council may select additional dentists for participation in the loan
20 repayment program under this chapter.

21 **SECTION 2. AMENDMENT.** Section 43-28.1-03 of the North Dakota Century Code is
22 amended and reenacted as follows:

1 **43-28.1-03. Dentist selectionCities - Defined need for dental services - Selection**
2 **criteria -Eligibility for loan repayment.**

- 3 1. ~~In establishing the criteria regarding a dentist's eligibility for loan repayment funds~~
4 ~~under this chapter, the state health council shall include consideration of:~~
- 5 a. ~~The dentist's training in general dentistry or in a dental specialty and the extent to~~
6 ~~which such services are needed in a selected community~~
 - 7 b. ~~The dentist's commitment to serve in a community that is in need of a dentist.~~
 - 8 c. ~~The compatibility of the dentist with a selected community~~
 - 9 d. ~~The date by which the dentist would be available for service to the selected~~
10 ~~community~~
 - 11 e. ~~The dentist's competence and professional conduct.~~
 - 12 f. ~~The dentist's willingness to accept medicare and medicaid patients.~~
- 13 2. ~~A dentist who is selected to receive loan repayment funds under this chapter:~~
- 14 a. (1) ~~May not have practiced dentistry full time in this state during the three years~~
15 ~~immediately preceding the application;~~
 - 16 (2) ~~Must have graduated from an accredited graduate specialty training~~
17 ~~program in dentistry during the year immediately preceding the application~~
18 ~~or within one year after the date of the application; or~~
 - 19 (3) ~~Must be enrolled in an accredited graduate specialty training program in~~
20 ~~dentistry; and~~
 - 21 b. ~~Must be licensed to practice dentistry in this state.~~
- 22 3. ~~Dentists selected shall contract to provide full time dental services for a minimum of~~
23 ~~four years in one or more selected communities~~
- 24 4. ~~For the purposes of a dentist selected for loan payment who practices within fifteen~~
25 ~~miles [24.14 kilometers] of the city limits of Bismarek, Fargo, or Grand Forks, to qualify~~
26 ~~to receive a yearly disbursement under this chapter during that year of obligated~~
27 ~~service, the dentist must have:~~
- 28 a. ~~Received dental medical payments of at least twenty thousand dollars in the form~~
29 ~~of medical assistance reimbursement; or~~
 - 30 b. ~~Practiced at least two full workdays per week at a public health clinic or at a~~
31 ~~nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental~~

1 ~~clinic's patients.~~The health council shall establish criteria to be used in selecting
2 cities that have a defined need for dental services, thereby allowing for
3 participation in the loan repayment program. The criteria must include
4 consideration of:

5 a. The number of dentists already providing dental services in the city; and

6 b. Access to dental services in the city and the surrounding area.

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

9 **SECTION 3. AMENDMENT.** Section 43-28.1-04 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **~~43-28.1-04. Community selection criteria~~Cities - Eligibility for participation - Priority.**

12 1. ~~The state health council shall apply the following criteria in selecting a community with~~
13 ~~a defined need for the services of a dentist:~~

14 a. ~~The size of the community, with rural communities with a population under two~~
15 ~~thousand five hundred given highest priority, communities with a population~~
16 ~~between two thousand five hundred and ten thousand given the next highest~~
17 ~~priority, and communities with a population greater than ten thousand given the~~
18 ~~lowest priority. In cities with a population greater than ten thousand, first priority~~
19 ~~must be given to dentists who commit to satellite to underserved areas and then~~
20 ~~to dental specialists in cities with an identified need for a specialist.~~

21 b. ~~The number of dentists practicing in the community and the surrounding area.~~

22 c. ~~The access by residents to dentists practicing in the community and the~~
23 ~~surrounding area.~~

24 d. ~~The mix of dental specialties in the community and surrounding area.~~

25 e. ~~The degree to which residents support the addition of a dentist within the~~
26 ~~community.~~

27 2. ~~The state health council shall give priority for participation to a community that~~
28 ~~demonstrates a need for a dentist or for an individual who is trained in a dental~~
29 ~~specialty~~

30 3. ~~In evaluating communities for participation in this program, the state health council~~
31 ~~may consult with public and private entities and visit the communities.~~In selecting

- 1 cities for participation in the loan repayment program, the health council shall give
2 priority, in descending order, to those cities that meet the selection criteria and:
3 a. Have fewer than fifteen thousand residents;
4 b. (1) Have at least fifteen thousand residents, but fewer than thirty thousand
5 residents; and
6 (2) Do not belong to a metropolitan statistical area; or
7 c. Have at least thirty thousand residents.
8 2. In the case of a dentist who will provide dental services in city that has a defined need
9 for dental services and in a public health clinic, a practice with a focus on an
10 underserved population, or a nonprofit dental clinic, the state health council shall
11 consider that dentist at the same priority level as under subdivision a of subsection 1.

12 **SECTION 4. AMENDMENT.** Section 43-28.1-05 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **43-28.1-05. Eligible loans.**

15 The state health council may provide for loan repayment funds to a dentist who has
16 received an education loan. The council may not provide funds for the repayment of any loan
17 that is in default at the time of the application. The amount of repayment must be related to the
18 dentist's outstanding education loans. A dentist is eligible to receive loan repayment funds in an
19 amount equal to the outstanding balance of the dentist's education loans with applicable
20 interest, or eightyone hundred thousand dollars, whichever is less. Loan repayment funds may
21 not be used to satisfy other service obligations under similar programs.

22 **SECTION 5. AMENDMENT.** Section 43-28.1-09 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **43-28.1-09. Gifts, grants, and donations - Continuing appropriation.**

25 The state health council may accept any conditional or unconditional gift, grant, or donation
26 for the purpose of providing funds for the repayment of dentists' educational loans. If any entity
27 desires to provide funds to the council to allow an expansion of the program beyond the ~~three-~~
28 dentists contemplated by this chapter, the entity shall commit to fund fully the expansion for a
29 period of ~~four~~five years. The council may contract with any public or private entity and may
30 expend any moneys available to the council to obtain matching funds for the purposes of this
31 chapter. All money received as gifts, grants, or donations under this section is appropriated as a

1 continuing appropriation to the state health council for the purpose of providing funds for the
2 repayment of additional dentists' educational loans.

3 **SECTION 6. REPEAL.** Sections 43-28.1-01.1, 43-28.1-02, and 43-28.1-10 of the North
4 Dakota Century Code are repealed.

5 **SECTION 7. APPLICATION.** Sections 43-28.1-01.1, 43-28.1-02, and 43-28.1-10 continue
6 to apply to any dentists who received a grant under those sections before the effective date of
7 this Act.