

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, 43-28.1-02, 43-28.1-03, and
2 43-28.1-04 of the North Dakota Century Code, relating to the dentists' loan repayment program;
3 to repeal sections 43-28.1-01.1 and 43-28.1-10 of the North Dakota Century Code, relating to
4 the loan repayment program for dentists in public health and nonprofit dental clinics and new
5 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 - Maximum amount of funds.**

10 Each year the state health council shall select, from a pool of applicants ~~no more than~~
11 ~~three,~~ dentists who shall provide dental services to communities in this state. Subject to the
12 availability of funding, the dentists selected from this pool of applicants may include dentists
13 who will provide dental services in a public health clinic or a nonprofit dental clinic. The dentists
14 are eligible to receive funds for the repayment of their education loans. The funds, which are
15 payable over a four-year period, may not exceed eighty thousand dollars per applicant. If the
16 state health council accepts any gifts, grants, or donations under this chapter, the council may
17 select additional dentists for participation in the loan repayment program under this chapter.

18 **SECTION 2. AMENDMENT.** Section 43-28.1-02 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **43-28.1-02. Loan repayment program - Dentists - Powers of state health council.**

21 The state health council may:

- 22 1. Determine the eligibility and qualifications of an applicant for loan repayment funds
23 under this chapter.

- 1 2. Identify communitiessites that are in need of a dentist and establish a priority ranking
- 2 for participation in the program by the selected communitiessites.
- 3 3. Create and distribute a loan repayment application.
- 4 4. Determine the amount of the loan repayment funds for which a dentist is eligible under
- 5 this chapter and, in making this determination, examine any outstanding education
- 6 loans incurred by the applicant.
- 7 5. Establish conditions regarding the use of the loan repayment funds.
- 8 6. Enter a four-year nonrenewable contract with the dentist and the selected
- 9 communitysite to provide to the dentist funds for the repayment of education loans in
- 10 exchange for the dentist agreeing to practice in the selected community or in a public
- 11 health clinic or nonprofit clinic.
- 12 7. Receive and use funds appropriated for the program.
- 13 8. Enforce any contract under the program.
- 14 9. Cancel a contract for reasonable cause.
- 15 10. Participate in federal programs that support the repayment of education loans incurred
- 16 by dentists and agree to the conditions of the federal programs.
- 17 11. Accept property from an entity.
- 18 12. Cooperate with the state department of health to effectuate this chapter.

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

21 **43-28.1-03. Dentist selection criteria - Eligibility for loan repayment.**

- 22 1. In establishing the criteria regarding a dentist's eligibility for loan repayment funds
- 23 under this chapter, the state health council shall include consideration of:
- 24 a. The dentist's training in general dentistry or in a dental specialty and the extent to
- 25 which such services are needed in a selected communitysite.
- 26 b. The dentist's commitment to serve in a communitysite that is in need of a dentist.
- 27 c. The compatibility of the dentist with a selected communitysite.
- 28 d. The date by which the dentist would be available for service to the selected
- 29 communitysite.
- 30 e. The dentist's competence and professional conduct.
- 31 f. The dentist's willingness to accept medicare and medicaid patients.

- 1 2. ~~A dentist who is selected to receive loan repayment funds under this chapter:~~
- 2 a. ~~(1) May not have practiced dentistry full time in this state during the three years~~
- 3 ~~immediately preceding the application;~~
- 4 ~~(2) Must have graduated from an accredited graduate specialty training~~
- 5 ~~program in dentistry during the year immediately preceding the application~~
- 6 ~~or within one year after the date of the application; or~~
- 7 ~~(3) Must be enrolled in an accredited graduate specialty training program in~~
- 8 ~~dentistry; and~~
- 9 b. ~~Must be licensed to practice dentistry in this state.~~
- 10 3. Dentists selected must be licensed to practice dentistry in this state and shall contract
- 11 to provide full-time dental services for a minimum of four years in one or more selected
- 12 communitiesites.
- 13 4.3. For the purposes of a dentist selected for loan payment who practices within fifteen
- 14 miles [24.14 kilometers] of the city limits of Bismarck, Fargo, or Grand Forks, to qualify
- 15 to receive a yearly disbursement under this chapter during that year of obligated
- 16 service, the dentist must have:
- 17 a. Received dental medical payments of at least twenty thousand dollars in the form
- 18 of medical assistance reimbursement; or
- 19 b. Practiced at least two full workdays per week at a public health clinic or at a
- 20 nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental
- 21 clinic's patients.

22 **SECTION 4. AMENDMENT.** Section 43-28.1-04 of the North Dakota Century Code is

23 amended and reenacted as follows:

24 **43-28.1-04. CommunitySite selection criteria.**

- 25 1. The state health council shall apply the following criteria in selecting a communitysite
- 26 with a defined need for the services of a dentist:
- 27 a. The size of the community, with rural communities with a population under two
- 28 thousand five hundred given highest priority, communities with a population
- 29 between two thousand five hundred and ten thousand given the next highest
- 30 priority, and communities with a population greater than ten thousand given the
- 31 lowest priority. In cities with a population greater than ten thousand, first priority

1 must be given to dentists who commit to satellite to underserved areas, then to
2 dentists who practice at a public health clinic or nonprofit clinic, and then priority
3 is given to dental specialists in cities with an identified need for a specialist.

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

5 c. The access by residents to dentists practicing in the community and the
6 surrounding area.

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

8 e. The degree to which residents support the addition of a dentist within the
9 community.

10 2. The state health council shall give priority for participation to a ~~community~~site that
11 demonstrates a need for a dentist or for an individual who is trained in a dental
12 specialty or who is willing to serve in a public health clinic or nonprofit clinic.

13 3. In evaluating communities for participation in this program, the state health council
14 may consult with public and private entities and visit the communities.

15 **SECTION 5. REPEAL.** Sections 43-28.1-01.1 and 43-28.1-10 of the North Dakota Century
16 Code are repealed.

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