

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 - ~~Notes~~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
14 ~~an annual note with the Bank of North Dakota in an amount equal to a~~ legally binding
15 agreement with the state board of higher education which identifies the amount ~~by~~
16 ~~which the individual's tuition is reduced as a result of a contract between the institution~~
17 ~~and the board~~of the award under the professional student exchange program.
- 18 2. If the individual who signed the ~~note~~agreement under subsection 1 is not practicing
19 dentistry, optometry, or veterinary medicine in this state within thirty-six months
20 following graduation ~~or of leaving the education program~~, the individual shall ~~begin~~
21 ~~repaying the note, together with interest accruing from the date of signing, at the rate~~
22 ~~per annum established by the Bank of North Dakota~~repay the amount of the
23 agreement in full at that time.

- 1 3. If the individual who signed the ~~note~~agreement under subsection 1 practices dentistry,
2 optometry, or veterinary medicine in this state within thirty-six months following
3 graduation, the ~~Bank of North Dakota~~state board of higher education shall reduce the
4 amount of the ~~note~~agreement by one-third, ~~together with all accrued interest,~~ for each
5 full year the individual continues practicing in the state. If the individual stops
6 practicing in this state before the ~~note~~amount of the agreement is waived in its entirety,
7 ~~from the date that individual stopped such practice~~ the individual shall repay the
8 remaining portion of the ~~note, together with interest accruing at the rate per annum-~~
9 ~~established by the Bank of North Dakota~~agreement in full from the date the individual
10 stopped practicing in the state.
- 11 4. If the individual who signed the ~~note~~agreement under subsection 1 departs before
12 graduation from a program in dentistry, optometry, or veterinary medicine, at the time
13 of departure that individual shall ~~begin repaying the note, together with interest-~~
14 ~~accruing from the date of signing, at the rate per annum established by the Bank of~~
15 ~~North Dakota~~repay the amount of the agreement in full.
- 16 5. The Bank of North Dakota shall ~~determine the terms applicable to the time and~~
17 ~~manner in which a note must be repaid~~allow an individual who is required to repay all
18 or a portion of an agreement under this section to utilize one of the bank's student loan
19 programs as an option for repayment, up to the amount certified by the state board of
20 higher education. To qualify under this subsection, the individual must meet student
21 loan credit criteria as established by the bank.
- 22 6. The ~~Bank of North Dakota~~state board of higher education shall defer any repayment of
23 a ~~note~~an agreement otherwise due under this section for the period of time the
24 individual who signed the ~~note~~agreement is pursuing full-time graduate or postdoctoral
25 studies or is called to active duty as a member of the armed forces. ~~The repayment~~
26 ~~provisions under an agreement signed under this section must provide for cancellation~~
27 ~~of the repayment requirements if the individual dies or becomes permanently or totally~~
28 ~~disabled.~~
- 29 7. The state board of higher education shall ~~consult with the Bank of North Dakota and~~
30 adopt rules implementing this section. The state board of higher education shall
31 ~~report~~confirm eligibility, to the bank ~~on the student status and practice status, of~~

1 ~~individuals~~ any individual who signed a note under subsection 1 uses the bank's
2 student loan program to repay any outstanding agreement amounts in full.

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

5 **43-28.1-01. Loan repayment program - Dentists - Defined need - Maximum amount of**
6 **funds.**

7 ~~Each year~~ Annually, the state health council shall select, from a pool of applicants, dentists
8 who ~~shall~~ will provide dental services in cities or surrounding areas, or both, in this state which
9 the state health council identifies as having a defined need for dental services. The dentists
10 selected from this pool of applicants ~~may include dentists who will~~ must agree to accept
11 medicaid patients and assignments or provide dental services in a public health clinic, a
12 practice with a focus on an underserved population, or a nonprofit dental clinic. The dentists-
13 are A selected dentist who agrees to the terms of this program is eligible to receive funds for the
14 repayment of ~~their~~ the dentist's education loans. The funds, which are payable over a five-year
15 period, may not exceed one hundred thousand dollars per applicant. If the state health council
16 accepts any gifts, grants, or donations under this chapter, the council may select additional
17 dentists for participation in the loan repayment program under this chapter.

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

20 **43-28.1-03. Criteria.**

- 21 1. The health council shall establish criteria to be used in selecting qualified dentists and
22 in identifying cities or surrounding areas, or both, that have a defined need for dental
23 services. The criteria must include consideration of:
- 24 a. The number of dentists already providing dental services in the city or
25 surrounding areas, or both;
 - 26 b. Access to dental services in the city and the surrounding areas;
 - 27 c. How the dentist will provide dental services to individuals on medical assistance
28 or in a public health clinic, a practice with a focus on an underserved population,
29 or a nonprofit dental clinic; and

- 1 d. The dentist's training in general dentistry or in a dental specialty and the extent to
2 which such services are needed in the identified city or surrounding areas, or
3 both.
- 4 2. As a term of receipt of funds under this chapter, a dentist shall accept medical
5 assistance patients and assignments or provide dental services in a public health
6 clinic, a practice with a focus on an underserved population, or a nonprofit dental
7 clinic. For purposes of a dentist selected for loan payment under this chapter who
8 practices within fifteen miles [24.14 kilometers] of the city limits of one of the three
9 largest cities in the state, to qualify to receive a yearly disbursement under this chapter
10 during that year of obligated service, the dentist must have:
- 11 a. Received dental medical payments of at least twenty thousand dollars in the form
12 of medical assistance reimbursement; or
- 13 b. Practiced at least two full workdays per week at a public health clinic or at a
14 nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental
15 clinic's patients.
- 16 3. The health council may consult with public and private sector entities in establishing
17 criteria and evaluating needs based on the criteria.

18 **SECTION 4. LEGISLATIVE MANAGEMENT STUDY - PROFESSIONAL STUDENT**
19 **EXCHANGE PROGRAM AND WESTERN INTERSTATE COMMISSION FOR HIGHER**
20 **EDUCATION.** During the 2017-18 interim, the legislative management shall consider studying
21 and evaluating the current agreements and participation with the western interstate commission
22 for higher education and the professional student exchange program. The legislative
23 management shall report its findings and recommendations, together with any legislation
24 required to implement the recommendations, to the sixty-sixth legislative assembly.

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