

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, or optometry, or veterinary medicine, unless that individual
14 signed a legally binding agreement with the state board of higher education which
15 identifies the 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, or 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, or
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, or optometry, or veterinary medicine, at the
5 time 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, or 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.