

**RURAL DENTIST STUDENT LOAN
REPAYMENT ASSISTANCE**

2002 GENERAL SESSION
STATE OF UTAH

Sponsor: Peter C. Knudson

This act amends the Physician and Physician Assistants Grant and Scholarship Program to include dentists as eligible recipients of loan repayment and scholarship grants in exchange for practicing in medically underserved rural areas of the state. The act amends membership of the rural medical financial assistance committee to include a dentist.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

26-9-201, as enacted by Chapter 44, Laws of Utah 1993

26-9-202, as last amended by Chapter 21, Laws of Utah 1999

26-9-203, as last amended by Chapters 194 and 243, Laws of Utah 1996

26-9-210, as last amended by Chapter 79, Laws of Utah 1996

ENACTS:

26-9-209.5, Utah Code Annotated 1953

26-9-209.6, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-9-201** is amended to read:

**Part 2. Dentist, Physicians and Physicians Assistants Grant
and Scholarship Program**

26-9-201. Title.

This part is known as the "Dentist, Physicians and Physicians Assistants Grant and Scholarship Program."

Section 2. Section **26-9-202** is amended to read:

26-9-202. Definitions.



28 As used in this part:

29 (1) "Applicant" means a person who meets the application requirements established by the
30 committee for a grant or a scholarship under this part.

31 (2) "Committee" means the Rural Medical Financial Assistance Committee created by
32 Section 26-1-7.

33 (3) "Dentist" means a person who has met the requirements of Subsection 58-69-302(1)(d)
34 and is licensed under Title 58, Chapter 69, Dentist and Dental Hygienist Practice Act.

35 [~~(3)~~] (4) "Educational expenses" are tuition, fees, books, supplies, educational equipment
36 and material, and reasonable living expenses.

37 [~~(4)~~] (5) "Medically underserved rural area" means a county, city, town, or other service
38 area with a population of less than 99 people per square mile and designated by the committee as
39 underserved by dentists, physicians or physician assistants.

40 [~~(5)~~] (6) "Physician" means a person who:

41 (a) has completed training at an educational institution that provides training leading to
42 the award of a Medical Doctor or Doctor of Osteopathy degree and who has completed a
43 post-graduate training program in medicine at an institution accredited by the Accreditation
44 Committee on Graduate Medical Education, the American Osteopathic Association Bureau of
45 Professional Education, or the Royal College of Physicians and Surgeons of Canada; and

46 (b) is licensed to practice in the state under Title 58, Chapter 68, Utah Osteopathic Medical
47 Practice Act, or under Title 58, Chapter 67, Utah Medical Practice Act.

48 [~~(6)~~] (7) "Physician assistant" means a person who is graduated from a physician assistant
49 program approved by the Committee on Allied Health Education and Accreditation of the
50 American Medical Association and who is licensed to practice in the state under Title 58, Chapter
51 70a, Physician Assistant Act.

52 [~~(7)~~] (8) "Recipient" means an applicant selected to receive a grant or a scholarship under
53 this part.

54 Section 3. Section **26-9-203** is amended to read:

55 **26-9-203. Rural Medical Financial Assistance Committee -- Membership -- Expenses.**

56 (1) The Rural Medical Financial Assistance Committee is comprised of [~~ten~~] 11 members:

57 (a) [~~nine~~] ten members are appointed by the governor as follows:

58 (i) one faculty member of the school of medicine at the University of Utah nominated by

59 the dean of the school of medicine;

60 (ii) one employee of the department nominated by the director of the department;

61 (iii) one rural hospital administrator nominated by the president of the Utah Hospital
62 Association;

63 (iv) one member of the Utah Medical Association nominated by the president of the
64 association;

65 (v) one rural representative of the Association for Utah Community Health nominated by
66 the board of the association;

67 (vi) one rural representative nominated by the Utah League of Cities and Towns;

68 (vii) one rural representative nominated by the Association of Counties;

69 (viii) one rural representative nominated by the Utah Academy of Physician Assistants;

70 [and]

71 (ix) one employee representing the Division of Business and Economic Development,
72 nominated by the executive director of the Department of Community and Economic
73 Development; and

74 (x) one member of the Utah Dental Association nominated by the president of the
75 association; and

76 (b) one member of the Legislature, chosen by the president and speaker, who serves as an
77 ex officio member with no voting privileges.

78 (2) (a) The names of all persons nominated to be members of the committee shall be
79 submitted to the governor for confirmation or rejection.

80 (b) If a nominee is rejected by the governor, another nominee shall be selected in the same
81 manner as the nominee the governor rejects.

82 (3) (a) Except as required by Subsection (3)(b), the term of office of each committee
83 member is four years.

84 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time
85 of appointment or reappointment, adjust the length of terms to ensure that the terms of committee
86 members are staggered so that approximately half of the committee is appointed every two years.

87 (4) A committee member may not serve more than two consecutive terms.

88 (5) The committee shall annually designate one of its members to serve as chair for a
89 one-year period.

90 (6) When a vacancy occurs in the membership for any reason, the replacement shall be
91 appointed for the unexpired term in accordance with Subsection (2).

92 (7) A majority of the committee members constitutes a quorum for the transaction of
93 business.

94 (8) (a) (i) Members who are not government employees shall receive no compensation or
95 benefits for their services, but may receive per diem and expenses incurred in the performance of
96 the member's official duties at the rates established by the Division of Finance under Sections
97 63A-3-106 and 63A-3-107.

98 (ii) Members may decline to receive per diem and expenses for their service.

99 (b) (i) State government officer and employee members who do not receive salary, per
100 diem, or expenses from their agency for their service may receive per diem and expenses incurred
101 in the performance of their official duties from the committee at the rates established by the
102 Division of Finance under Sections 63A-3-106 and 63A-3-107.

103 (ii) State government officer and employee members may decline to receive per diem and
104 expenses for their service.

105 (c) Legislators on the committee shall receive compensation and expenses as provided by
106 law and legislative rule.

107 (d) (i) Higher education members who do not receive salary, per diem, or expenses from
108 the entity that they represent for their service may receive per diem and expenses incurred in the
109 performance of their official duties from the committee at the rates established by the Division of
110 Finance under Sections 63A-3-106 and 63A-3-107.

111 (ii) Higher education members may decline to receive per diem and expenses for their
112 service.

113 (e) (i) Local government members who do not receive salary, per diem, or expenses from
114 the entity that they represent for their service may receive per diem and expenses incurred in the
115 performance of their official duties at the rates established by the Division of Finance under
116 Sections 63A-3-106 and 63A-3-107.

117 (ii) Local government members may decline to receive per diem and expenses for their
118 service.

119 Section 4. Section **26-9-209.5** is enacted to read:

120 **26-9-209.5. Dentist loan repayment grants -- Terms and amounts -- Service.**

121 (1) (a) To increase the number of dentists practicing in medically underserved rural areas
122 of the state, the department may provide grants to dentists to repay loans taken by them for dental
123 educational expenses in exchange for their agreement to practice for a specified period of time in
124 medically underserved rural areas in the state.

125 (b) Grants may be given only to repay bona fide loans taken by a dentist for dental
126 educational expenses while pursuing an education at an institution that provides training leading
127 to the award of a doctors degree in dentistry.

128 (2) Grants to dentists under this section may not be used to satisfy other obligations owed
129 by the dentist under any similar program and may not be used to repay a loan that is in default at
130 the time of application.

131 (3) The department may not disburse any grant funds under this part until the recipient has
132 performed at least three months of full-time service at the designated medically underserved rural
133 area.

134 Section 5. Section **26-9-209.6** is enacted to read:

135 **26-9-209. Dentist scholarships -- Terms and amounts -- Service.**

136 (1) To increase the number of dentists in medically underserved rural areas in the state,
137 the department may provide scholarships to individuals seeking to become dentists in exchange
138 for their agreement to practice for a specified period of time in medically underserved rural areas
139 in the state.

140 (2) The scholarships may be given only to pay educational expenses, while pursuing dental
141 education at an educational institution within the United States accredited by the Commission on
142 Dental Accreditation of the American Dental Association.

143 (3) Scholarships given under this section may not be used to satisfy other obligations owed
144 under any similar program and may not be in an amount more than is reasonably necessary to meet
145 educational expenses.

146 (4) Scholarship recipients shall seek a course of dental education following a schedule of
147 minimum course hours per year and maximum years leading to receipt of a degree as set by rule
148 by the committee.

149 Section 6. Section **26-9-210** is amended to read:

150 **26-9-210. Service obligation -- Repayment -- Penalty.**

151 (1) (a) Before receiving a grant or a scholarship under this part, each recipient shall enter

152 into a contract with the state agreeing to the conditions upon which the grant or scholarship is to
153 be made.

154 (b) The contract shall include necessary conditions to carry out the purposes of this part.

155 (2) (a) In exchange for financial assistance under this part, the recipient shall practice
156 full-time for a minimum of 24 months in a medically underserved rural area at a site approved by
157 the committee.

158 (b) The recipient's full-time practice in a medically underserved rural area at a site
159 approved by the committee retires the amount owed for the grant or scholarship according to a
160 schedule established by the committee.

161 (c) Periods of internship, preceptorship, or other clinical training do not satisfy the service
162 obligation under this part.

163 (3) A grant recipient under this part who fails to complete the service obligation shall:

164 (a) pay as a penalty, twice the total amount of the grant not yet paid to him, on a prorated
165 basis according to a schedule established by the committee and 12% per annum interest on the
166 unpaid penalty amount; and

167 (b) costs and expenses incurred in collection, including attorney fees.

168 (4) A scholarship recipient who fails to finish his dental, medical, or physician assistant
169 schooling and become a dentist, physician, or a physician assistant within the period of time agreed
170 upon with the committee shall within 90 days after the deadline for completing his schooling or
171 within 90 days of his failure to continue his schooling, whichever occurs earlier, repay:

172 (a) all scholarship money received;

173 (b) 12% per annum interest on the funds received under the scholarship, calculated from
174 the date each installment is received under the scholarship until it is repaid; and

175 (c) costs and expenses incurred in collection, including attorney fees.

176 (5) A scholarship recipient who finishes his schooling and becomes a dentist, physician,
177 or physician assistant but who fails to fulfill his service obligation shall repay:

178 (a) twice the total scholarship amount paid to him that is not yet retired by his service, on
179 a prorated basis according to a schedule established by the committee;

180 (b) 12% per annum interest on the unretired funds received under the scholarship
181 calculated from the date he received each installment under the scholarship; and

182 (c) costs and expenses incurred in collection, including attorney fees.

183 (6) Amounts recovered and damages collected under this section shall be deposited as
184 dedicated credits to be used to carry out the provisions of this part.

Legislative Review Note
as of 1-7-02 3:56 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel