

**UTAH HEALTH CARE WORKFORCE  
FINANCIAL ASSISTANCE ACT AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jackie Biskupski**

Senate Sponsor: Beverly Ann Evans

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**LONG TITLE**

**General Description:**

This bill amends the Utah Health Care Workforce Financial Assistance Program to add radiology ~~H→~~ [technicians] technologists ~~←H~~ and ~~H→~~ [medical] clinical ~~←H~~ laboratory ~~H→~~ [technicians] technologists ~~←H~~ to the list of health care professionals who may participate in the program.

**Highlighted Provisions:**

This bill:

- ▶ amends the definition of health care professional;
- ▶ amends the duties of the Department of Health with regard to the Utah Health Care Workforce Financial Assistance Program; and
- ▶ amends the membership of the Utah Health Care Workforce Financial Assistance Program Advisory Committee.

**Monies Appropriated in this Bill:**

This bill appropriates:

- ▶ as an ongoing appropriation subject to future budget constraints, ~~H→~~ [\$300,000]

\$100,000 ~~←H~~ from the

General Fund for fiscal year 2006-07 to the Utah Health Care Workforce Financial Assistance Program in the Department of Health.

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



28 AMENDS:

29 **26-46-101**, as enacted by Chapter 307, Laws of Utah 2002

30 **26-46-102**, as enacted by Chapter 307, Laws of Utah 2002

31 **26-46-103**, as enacted by Chapter 307, Laws of Utah 2002



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

34 Section 1. Section **26-46-101** is amended to read:

35 **26-46-101. Definitions.**

36 (1) "Health care professional" means [~~a physician, physician assistant, nurse, dentist,~~  
37 ~~mental health therapist, or~~]:

38 (a) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or  
39 Chapter 68, Utah Osteopathic Medical Practices Act;

40 (b) a physician assistant licensed under Title 58, Chapter 70a, Physician Assistant Act;

41 (c) a nurse licensed under Title 58, Chapter 31b, Nurse Practice Act;

42 (d) a dentist licensed under Title 58, Chapter 69, Dentist and Dental Hygienist Practice  
43 Act;

44 (e) a mental health professional licensed under Title 58, Chapter 60, Mental Health  
45 Professional Practice Act, or Chapter 61, Psychologist Licensing Act;

46 (f) a radiology technologist ~~H→~~ [~~or radiology practical technician~~] ~~←H~~ licensed under Title  
46a 58,

47 Chapter 54, Radiology Technologist and Radiology Practical Technician Licensing Act;

48 (g) a ~~H→~~ [~~medical~~] ~~clinical~~ ~~←H~~ laboratory ~~H→~~ [~~technician~~] ~~technologists~~ ~~←H~~ as  
48a1 defined by the department by

48a administrative rule;

49 or

50 (h) other health care professional designated by the department by rule.

51 (2) "Underserved area" means an area designated by the department as underserved by  
52 health care professionals, based upon the results of a needs assessment developed by the  
53 department in consultation with the Utah Health Care Workforce Financial Assistance Program  
54 Advisory Committee created under Section 26-46-103.

55 Section 2. Section **26-46-102** is amended to read:

56 **26-46-102. Creation of program -- Duties of department.**

57 (1) There is created within the department the Utah Health Care Workforce Financial  
58 Assistance Program to provide professional education scholarships and loan repayment

59 assistance to health care professionals who locate or continue to practice in underserved areas.

60 (2) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
61 department shall make rules governing the administration of the program, including rules that  
62 address:

63 (a) application procedures;

64 (b) eligibility criteria;

65 (c) selection criteria;

66 (d) service conditions, which at a minimum shall include professional service in an  
67 underserved area for a minimum period of time by any person receiving a scholarship or loan  
68 repayment assistance;

69 (e) penalties for failure to comply with service conditions or other terms of a  
70 scholarship or loan repayment contract;

71 (f) criteria for modifying or waiving service conditions or penalties in case of extreme  
72 hardship or other good cause; and

73 (g) administration of contracts entered into before the effective date of this act,  
74 between the department and scholarship or loan repayment recipients under Title 26, Chapter 9,  
75 Part 2, Physicians and Physician Assistants Grant and Scholarship Program, Title 26, Chapter  
76 9d, Nurse Education Financial Assistance, or Title 26, Chapter 9e, Special Population Health  
77 Care Provider Financial Assistance and Retention Act.

78 (3) The department shall seek and consider the recommendations of the Utah Health  
79 Care Workforce Financial Assistance Program Advisory Committee created under Section  
80 26-46-103 as it develops and modifies rules to administer the program.

81 (4) Funding for the program shall be a line item within the appropriations act, shall be  
82 nonlapsing unless designated otherwise, and may be used to cover administrative costs of the  
83 program, including reimbursement expenses of the Utah Health Care Workforce Financial  
84 Assistance Program Advisory Committee created under Section 26-46-103[-], and publicity for  
85 the Utah Health Care Workforce Financial Assistance Program to increase recruitment and  
86 outreach to persons in the health care professions.

87 (5) Loan repayments and payments resulting from breach of contract are dedicated  
88 credits to the program.

89 (6) The department shall prepare an annual report on the revenues, expenditures, and

90 outcomes of the program.

91 Section 3. Section **26-46-103** is amended to read:

92 **26-46-103. Advisory committee -- Membership -- Compensation -- Duties.**

93 (1) There is created the Utah Health Care Workforce Financial Assistance Program  
94 Advisory Committee consisting of the following [~~11~~] 13 members appointed by the executive  
95 director, seven of whom shall be residents of rural communities:

96 (a) one rural representative of Utah Hospitals and Health Systems, nominated by the  
97 association;

98 (b) one rural representative of the Utah Medical Association, nominated by the  
99 association;

100 (c) one representative of the Utah Academy of Physician Assistants, nominated by the  
101 association;

102 (d) one representative of the Association for Utah Community Health, nominated by  
103 the association;

104 (e) one representative of the Utah Dental Association, nominated by the association;

105 (f) one representative of mental health therapists, selected from nominees submitted by  
106 mental health therapist professional associations;

107 (g) one representative of the Association of Local Health Officers, nominated by the  
108 association;

109 (h) one representative of the low-income advocacy community, nominated by the Utah  
110 Human Services Coalition;

111 (i) one nursing program faculty member, nominated by the Statewide Deans and  
112 Directors Committee;

113 (j) one administrator of a long-term care facility, nominated by the Utah Health Care  
114 Association; [~~and~~]

115 (k) one nursing administrator, nominated by the Utah Nurses Association[~~;~~];

116 (l) one radiology ~~H~~→ [technician] technologist [appointed] nominated ←H by the  
116a Society of

116a Radiological Technicians; and

117 (m) one ~~H~~→ clinical ←H laboratory ~~H~~→ [technician] technologist [appointed]  
117a nominated ←H by the

117a Utah ~~H~~→ [Hospital] Hospitals and Health Systems ←H Association ~~H~~→ or the Utah chapter of  
117b the American Society for Clinical Laboratory Science ←H .

118 (2) An appointment to the committee shall be for a four-year term unless the member is  
119 appointed to complete an unexpired term. The executive director may also adjust the length of  
120 term at the time of appointment or reappointment so that approximately 1/2 the committee is

121 appointed every two years. The executive director shall annually appoint a committee chair  
 122 from among the members of the committee.

123 (3) The committee shall meet at the call of the chair, at least three members of the  
 124 committee, or the executive director, but no less frequently than once each calendar year.

125 (4) A majority of the members of the committee constitutes a quorum. The action of a  
 126 majority of a quorum constitutes the action of the committee.

127 (5) Members of the committee may not receive compensation for their work associated  
 128 with the committee, but may receive from the department reimbursement for travel expenses  
 129 incurred as a member of the committee, as funds are available, at the rates established by the  
 130 Division of Finance under Section 63A-3-107. Members of the committee may decline  
 131 reimbursement.

132 (6) The committee shall:

133 (a) make recommendations to the department for the development and modification of  
 134 rules to administer the Utah Health Care Workforce Financial Assistance Program; and

135 (b) advise the department on the development of a needs assessment tool for  
 136 identifying underserved areas.

137 (7) As funding permits, the department shall provide staff and other administrative  
 138 support to the committee.

139 **Section 4. Appropriation.**

140 As an ongoing appropriation subject to future budget constraints, there is appropriated  
 141 from the General Fund for fiscal year 2006-07, ~~Ĥ~~→ [\$300,000] \$100,000 ←~~Ĥ~~ to the Utah  
 141a Health Care Workforce  
 142 Financial Assistance Program within the Department of Health.

**Legislative Review Note**

**as of 12-19-05 2:09 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0118**

**Utah Health Care Workforce Financial Assistance Act**  
**Amendments**

23-Jan-06  
1:46 PM

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**State Impact**

This bill appropriates \$300,000 ongoing General Fund starting in FY 2007 to the Utah Department of Health.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
General Fund	\$300,000	\$300,000	\$0	\$0
<b>TOTAL</b>	<b>\$300,000</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

More potential health care professionals will be able to receive loan repayment grants.

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**Office of the Legislative Fiscal Analyst**